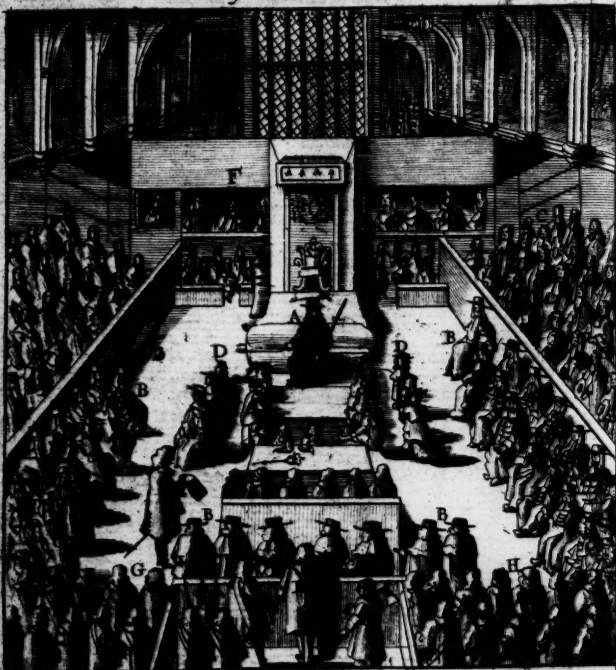


*The Tryall of William Howard L<sup>d</sup> Viscount Stafford in Westminster hall.*

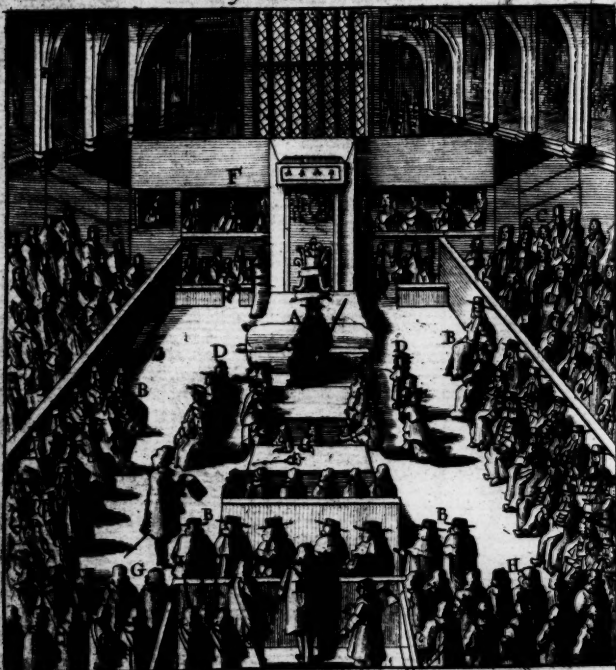


*His Execution on Tower hill.*



A. The High Steward.	CC. The Commons.	E. The Prisoner.	G. The Managers of a Tryall.
B. The Peers in Robes.	D. The Judges.	F. The K <sup>ts</sup> Box.	H. The Evidence.

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Historical Collections,

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Or a brief

ACCOUNT

Of the most Remarkable

TRANSACTIONS

OF

The two last

PARLIAMENTS

Held and Dissolved

AT

*Westminster and Oxford.*

---

L O N D O N,

Printed for *Simon Neale*, at the three  
Pidgeons in *Bedford-Street* in Co-  
*vent-Garden*, 1681.

---

Historical Collection

Of a Bill

ACCOUNT

Of the most Honourable

PARLIAMENT

OF

The two Houses

PARLIAMENTS

Hold and Dissolved

AT

Westminster

1701

Printed by J. Sturges, at the Sign of the Crown, in St. Dunstons Church-yard, near St. Dunstons Church, in the City of London.

T O T H E  
R E A D E R.

**M**ethod and Order are  
the chiefest Helps  
and Assistances of  
Memory. And therefore  
the ensuing sheets being on-  
ly a bare and brief Collecti-  
on of the most memorable  
and Important Passages  
which occurred in the two  
last Parliaments held at  
*Westminster* and *Oxford* we  
have observ'd that method  
and connexion in the series  
of Affairs, which is most ac-  
ceptable to the Memory, by  
separating the perfect from  
A 2 the

*To the Reader.*

the imperfect Matter, that the Reader may read, with more delight, the carriage of things, and make his own observations. To which end we have made no Comments or Reflections of our own, to shew either favour or affection, partiality, or byass'd humor; contracting what might seem tedious, and cutting off the superfluities of a Diurnal-way of writing. They that have not been so careful to preserve the loose Sheets of the daily *Occurrencies*, or have not had the opportunity to buy all the Narratives concerning

*To the Reader.*

cerning the Popish Plot, may here find the substance of all together, and by the help of the *Index* at the latter end, have recourse to what ever they shall have occasion to bring to mind, within the short compass of those few Months. So that we doubt not but the benefit of the design will far exceed the price of the Volume. Some omissions there may be, but by those that have view'd these Sheets, 'tis not believed, that there are any of any great Moment. Whatever they are, 'tis hoped the Reader

*To the Reader.*

Reader will pardon small defects and judg charitably of the work it self, considering the Variety, and the nicer nature of the several Subjects. For as for the Truth of the matter, there is no question of it, there being nowhere any deviating from Authentick Hands and Approbation.

**Historical**

HISTORICAL COLLECTIONS.  
 OR,  
 TRANSACTIONS  
 OF THE LATE  
 PARLIAMENT,  
 IN A  
 DIALOGUE  
 BETWEEN

F A M E and T R U T H.

*Fame.* **W**Hile the last Parli-  
 ment sate, I was so  
 tir'd with carrying  
 News to and fro, from the City to the  
 Country; then back to the City again,  
 day and night, night and day, that  
 upon the Dissolution of the Session, I  
 resolv'd to retire altogether into the  
 Country, to recruit my self, and re-  
 fresh the wearied Pinions of my Wings.

*Truth.* 'Tis a happiness I can seldom  
 enjoy; for I still find my self so much a-  
 bus'd and scandaliz'd by *Рынок* and  
 B *False*

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*False Report*, that daily affront me where-ever I come, that I hate to come near a Market-Town, as I hate to tell a lye.

*Fame*. That's the business which I come now to thee about, to seek a Remedy how to avoid this Inconvenience for the future.

*Truth*. And hast thou found out the way, dost think?

*Fame*. Yes. — For though the Parliament, last Session, took a most Excellent way, to give a daily accompt of their Proceedings, yet by reason of the many interferences of private with publick business, people are confounded in their Memories, and forget the Coherence of the main Transactions, while they endeavour to separate the more from the less important.

*Truth*. I must confess, indeed, that Order and Method are the main Assistances of Memory.

*Fame*. Therefore I say, that if Thou wouldst but assist me in this Business, and recollecting thy just Memory, wouldst but give me an Exact, easie, and methodical Relation of the Proceedings of the late Session, without Animadversions



## Historical Collections. 3

versions or Flourishes, but plainly and impartially, I believe it would be very much both for thy advantage and mine too.

*Truth.* That I shall most willingly do, not only for my own, but the advantage of all those that, as I am perswaded, read with more delight a successive and cohering, then a disorder'd, and interrupted Story.

*Fame.* Thereby will *Fame* be beholding to *Truth*, for the Truth which she reports, and *Truth* be no less beholding to *Fame* for reporting the Verity of Things.

*Truth.* Where then wouldst thou have me begin?

*Fame.* Just where the Parliament it self began. For that, in the procedure of Affairs, is just like a full Stop and a Break in Writing.

*Truth.* The Parliament then, as is well known, assembled, at the usual Places at *Westminster*, upon *Tuesday* the 21. of *October* in the year 1680.

So soon as they were met, a Message was sent from his Majesty to the House of Commons by Sir *Edward Carteret*, Usher of the *Black Rod*, commanding

B 2

the

#### 4 Historical Collections.

the Members to attend him in the House of Peers. Whither The Commons accordingly repairing, his Majesty was pleas'd to declare himself to the effect as follows.

*That the several Prorogations he had made had been advantageous to the Neighbouring States, and useful to Himself; as having employ'd that time in making and perfecting an Alliance with the Crown of Spain, suitable to what he had before with the United Provinces.*

*That he had all the reason in the world to believe, that what was so much desir'd by former Parliaments must needs be acceptable to them.*

*Which as they were the best Measures that could be taken for the safety of England, and repose of Christendom, so they could not but attain their ends, if our home-Divisions did not render our Friendship less considerable abroad.*

*That for prevention thereof, he gave them all Assurances that nothing should be wanting on his part, to give them the fullest Satisfaction their hearts could wish, for the security of the Protestant Religion, which he resolv'd to maintain against all Conspiracies of our Enemies; and to con-*  
cur

## Historical Collections. 5

*cur with them in any propos'd Remedies, that might consist with preserving the Crown in its Due and Legal Course of Descent.*

*To which purpose he recommended to them the speedy Examination of the Plot, and that the Lords in the Tower might be brought to their speedy Tryals.*

*Then he laid before them the matter of Tangier, and the Expences he had been at to relieve and maintain that place; upon which he desired their Advice and Assistance.*

*But that which he valued above all the Treasure in the World, was a perfect Union at home, as being that which onely could restore the Kingdom to that Strength and Vigour which it seem'd to have lost.*

*All Europe, he told them, had their Eyes upon that Assembly, so that a Misunderstanding of each other, would render the Friendship of England unsafe to trust to.*

*Lastly, he exhorted them to take care not to gratifie the publick Enemy, and discourage their Friends, by unseasonable disputes, which if they should happen, the world would see, it was no fault of his, who had done what was possible for him to do, to keep them in peace while he liv'd, and to leave them so when he dy'd.*

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Concluding, that from their prudence and good affections, he could fear nothing of that kind; but that he rely'd upon them, that they would use their best endeavours to bring the Parliament to a happy conclusion.

Having so done, he commanded the Commons to return to their House, and make choice of their Speaker,

*Fame.* Did the Lord Chancellor make no Speech at all?

*Truth.* Not this time.

*Fame.* Do ye know the Reason?

*Truth.* Not I, but onely by conjecture, which has no place in this Rehearsal.

*Fame.* Then Proceed.

*Truth.* So soon as the Commons werereturned to their House, a Motion was made, That *William Williams* Esq; might be elected Speaker. Which was presently resolv'd, *Nemine Contradicente.* Mr. *Williams* being thus chosen, modestly at first excus'd himself, telling the House,

*That he needed not to reckon up his Infirmities, which were better known to many of the Members than to himself. That as they had experience of his unfitness*

*fitness for their Service, so they had sufficient Demonstrations of the aptness of other Members then present. That the Choice of a Speaker was the Effect of much time and consideration, and that it would be no excuse for them to say, They had not time for deliberation in so great a Matter; and therefore, since they had time, a more deliberate Election would be expected from them. That the security of the Protestant Religion; the safety of the King and Kingdom, and the preservation of the Justice of the Land, were the Grand Affairs in prospect, enough to prevail with them to depart from their first Intentions of the Honour propos'd to him that day. Acknowledging himself to be sufficiently honour'd with the proposal alone. For which reasons he desir'd them, not onely for his own sake, but for their Honour, to proceed to the Election of another Person more proper for their Service, and to leave him in that place where his Country had seated him.*

*But this excuse being rejected by the House, he was by two of the Members conducted to the Chair, where being seated, he again spoke to this Effect,*

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*That he trembled to reflect, under what difficulties experienc'd, learned, and wise men had labour'd in that Chair. Yet that he was not terrified with the Presidents of those "who had impaired their Estates and Healths therein; nor "of those who had lost their lives in the "Service, as being Sacrifices he owed his "Country. But when he consider'd that some Gentlemen had maim'd their Reputations in their Trusts, those were the thoughts that wounded him most deeply, and would yet strike deeper, did not they that call'd him thither stand by him, to support him in all the difficulties of the Place.*

*He farther acknowledg'd that he held the place by their courtesie, and during their pleasure, and that if he fell, he fell into the hands of Gentlemen, that made him what he was in their Service. Concluding,*

*That he was theirs alone, and their own intirely, placed in their Service without seeking or recommendation; and that he expected no Boon, but by their Grace and Favour to depart as he came, when they should please to command him.*

*The Ceremony of the Election being thus over, the House was inform'd that*

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that his Majesty had appointed the next day at three a Clock, for the Members to present their Speaker, which made them adjourn till the next day in the Afternoon.

The day following being the twenty Second of *October*, the House met again in the Afternoon, at what time a Message was deliver'd them by the Usher of the *Black Rod*, commanding them to attend his Majesty in the House of Peers.

Thereupon the House attended accordingly, and humbly presented their Speaker to his Majesty, who presently made claim, according to Custom, in the Name of the Commons of *England* in Parliament assembled, of the ancient Rights of the Commons, for them and their Servants, in their Persons and Estates, to be free from Arrests and other disturbances; to have freedom and liberty of Speech in all their Debates, and to have access to his Majesties Person, as occasion should require. All which was allowed by the King.

Being return'd to the House, the Speaker took the *Chair*, and having made

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made report of what had been done, the House adjourn'd till *Monday* following.

*Fame.* Hitherto I hear of nothing of Business.

*Truth.* No more then what I tell you ; for it was necessary that these matters of Form and Ceremony should be first dispatch'd. Besides that by these Acts of Condescension in the one, and Homage in the other, the King asserted his Prerogative, and the People by their Representatives acknowledg'd their Subjection.

*Fame.* I am satisf'd ; go on to the next.

*Truth.* On *Monday* then, being the twenty fifth of *October*, both Houses being met again, the first thing that found the *Commons* work, was a Message from the Peers by the Lord C. J. Schroggs, and the Lord C. J. North, acquainting them that they had made an Address to his Majesty, and had received his Majesties Answer thereunto, which they thought fit to communicate.

The Address, which was deliver'd to his Majesty by the Lords attending



## Historical Collections. II

ing him with their White Staves, was to this Effect; *That whereas there had been a discovery made of a horrid Conspiracy by the Papists against his Majesties Person and Government, which still continued, that his Majesty would be Graciously pleased to issue out his Royal Proclamation, that all Persons who within two Months after the date of the same, should come in and give Evidence of any Treason or Conspiracy against his Majesties Person and Government, should have a full Pardon for all such Treasons, Misprisions, and all Offences of Concealment, to the time limited by the said Proclamation.*

To which his Majesties Answer was to this Effect. *That having consider'd of the said Address, and being willing to encourage the discovery of any Treasons and Conspiracies, as aforesaid, he would issue forth his Proclamation accordingly, and pardon all such Discoverers according to the desires of the Address.*

*Tuesday 26. of October, the Commons fell upon the Regulation of Elections of Members to serve in Parliament, and appointed a Committee to draw up a Bill or Bills, as they should see cause, for that*

that purpose, more especially to take care to insert a Clause, that an Action of the Case might be brought and maintain'd for Damages sustain'd by undue Returns.

Then taking into consideration the Message which had been sent them the day before by the Lords, They also in concurrence with the Peers, voted an Address to be made to his Majesty on their part, to request the same Pardons and Favour for limited Discoverers, as the Lords had already done. Which being done, Mr. *Dangersfield* (of whom I question not but that you have had a sufficient accompt already) was called to the Barr, there to deliver his knowledge concerning the Plot.

*Fame.* That will be very necessary for my Pacquet.

*Truth.* It will so; and therefore you shall have it as briefly as possibly I can sum it up.

He declared to the House, That when Mrs. C. and *He* waited on the Lord *Peterborough*, to be introduced to his R. H. his Lordship ask'd him whether the Lady *Powis* had given him any directions how to discourse the D. and desired to know what they were. Where-  
upon

upon he produced a little Book which contain'd a scheme of the pretended discovery he had made of the *Presbyterian Plot*. Wherein his Lordship finding some Omissions, order'd him to Write from his own Mouth, that the *Presbyterians* intended to rise in the *North*, and joyn with the *Scots*; which done, his Lordship carry'd him with Mrs. C. into the Dukes Closet at *White-Hall*, where he delivered the said Book to the Duke, who not only thank'd him for it, and his diligence in the Catholick Cause, but wished him success in his Undertakings. Adding withall, of what mighty consequence the *Presbyterian Plot* was, if well manag'd; and that he questioned not but that the effects of it would answer expectation, especially in the *North*, where he was assur'd of the Major Part of the Gentry.

That after that his *H.* in the hearing of the Lord *Peterborough* order'd him and Mrs. C. to be careful what they communicated to such as were to be Witnesses in the Plot, for fear they should be caught in the Subornation. That the *D.* also informed them, that in a Month or two Commissions would  
be

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be ready as from the *Presbyterians*, to which purpose he was order'd to find out trusty persons that would be ready to accept them, which should be deliver'd them by a person that should be known by them to be no other then a *Presbyterian*, that they might be the more fit to swear in the Plot. That the *D.* also for their Encouragement to proceed in that sham-Plott, promis'd them, that he would take care that Money should not be wanting, and bid them discover the same to the King with all expedition they could. That the *D.* made divers Vows and bitter Execrations to stand by them in the thing, and engag'd on his Honour to be their Rewarder.

That being withdrawn from thence to the Lord *Peterborough's* Lodgings, they continu'd there till his Lordship had introduc'd Sir *Robert Peyton* to the Duke.

That about four days after the said Earl took the said *M. D.* again to the *D's.* Lodgings at *White-Hall*, who then told him that he had gained by his diligence a good reputation among the Catholics, adding withall, that he should in a short time see the Catholick Religion

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on flourish in these Kingdoms, and Heresie torn up by the Roots.

That the *D.* gave him twenty Guinies, and said, if he would be but vigorous in what he had undertaken already, he would so order it, that Mr. *D.*'s life should not be in the least danger, with several other Circumstances relating to the said Plot, too tedious to relate.

*Fame.* 'Tis well enough, so long as here is the main, and chief substance of the rest.

*Truth.* There is so; and we are not to make Enlargements, where we intend Epitome's.

Mr. *Dangerfeild* having made an end of his Relation withdrew. But the House taking a more particular notice, that he had made mention of Sir *Robert Peyton* in his Information, presently ordered a Committee to examine the matters touching Sir *Robert Peyton*, and to report the same, and came to a Resolution *Nemine Contradicente*, to proceed effectually to suppress Popery, and prevent a Popish Successor.

Upon the twenty seventh of *October*, the Address of the Commons to his Majesty, in concurrence with the Lords,  
for

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for a Proclamation, to assure all such Persons their Pardons, as should make their Discoveries within two Months after the date of the Proclamation, being prepar'd and finish'd by the Committee, was read in the House upon the Report of Mr. Treby; and ran much to this Effect,

*We your Majesties most Loyal Subjects, the Commons of England assembled, being highly zealous for the preservation of the Protestant Religion, your Majesties Sacred Person and Government, and resolving to pursue with a strict and impartial enquiry, the execrable Papist Plot, which was detected in the two last Parliaments, and has been supported and carried on by potent and restless Practises and Machinations, especially during the late Recesses of Parliament, whereby several Persons have been terrified and discourag'd from declaring their knowledge thereof, most humbly beseech your Majesty, that for the security of such Persons, who shall be willing to give Evidence, and make further satisfactory discovery concerning the same to this House, your Majesty would be pleas'd to issue your Royal Proclamation, assuring all the*  
*said*

*said persons of your Gracious Pardon, if they shall give such Evidente or make such Discovery, within two Months after the date of the Proclamation.*

With this Address, the Speaker attended by several Members of the House, waited upon his Majesty the next day in the Afternoon. To which his Majesty was pleas'd to return his Answer to this Effect.

*That he did intend to direct such a Proclamation, and was resolv'd not onely to prosecute the Plot but Popery also, and to take care of the Protestant Religion establish'd by Law; adding, That if the House did but go on Calmly in their Debates without heat, that he did not doubt, but to beat down Popery and all that belong'd to it.*

But to return where we left off, so soon as the report of this Address had been made; and that it had pass'd Approbation, the House fell the same day upon the business of Petitions, which they resent'd so high, that they came to several Resolves: First, that it was the undoubted Right of the Subjects of England, to Petition the King for the calling and sitting of Par-

C

liaments;

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liaments, and Redressing of Grievances.

That to traduce such Petitioning as a violation of Duty, and to represent it to his Majesty, as Tumultuous and Seditious, was to betray the Liberty of the Subject, and contributed to the design of subverting the ancient Legal Constitutions of this Kingdom, and introducing Arbitrary Power.

Which Resolves passing *Nemine Contradicente*, they appointed a Committee to enquire of all such Persons as had offended against the Rights of the Subjects.

Thereupon the House being inform'd that Sir *Francis Withens*, one of the Members, had offended against the said Right of the Subject, he was order'd to attend the next Morning.

After which they pass'd a Resolve, to make an Address to his Majesty, with a declaration of their Resolution to preserve and support the Kings Person and Government, and the Protestant Religion both at home and abroad.

The next Morning, Sir *Francis Withens* appearing in his Place, according to the Order made the day before, the

Clark



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Clark of the Peace for Westminster was order'd to attend the next Morning with the *Roll* of Orders for the last *Easter* Sessions for the City of Westminster.

*Fame.* What could that signifie ?

*Truth.* Thou mayst be sure they knew what they did.

*Fame.* I guess the business.

*Truth.* Why then dost interrupt me with thy Impertinencies ?

*Fame.* Thou knowest, I was always guilty of that fault and cannot help it, —but prithee now go on.

*Truth.* Having thus done with Sir Francis for that time, they took Sir Robert Teoman's and Sir Robert Can, a Member of the House, to task; for that they in *October* 1679, had publickly declared that there was no Plot, but onely a *Presbyterian* Plot.

The words were attested by Mr. Rowe the Sword-bearer of *Bristol*, and Sir John Knight a Member of the House also.

To which Sir Robert Can being called upon by the House to make his defence, said little for himself, but onely flung several reflecting and reproach-

full expressions upon Sir *Robert Can.* For which as for an offence against good Manners, he was presently order'd to receive a Reprehension from the Speaker upon his knees. Nor was this all, for Sir *Robert* being now withdrawn, the House proceeded to take the matters charg'd against him into farther Consideration, and after some time of debate, resolv'd, that it did appear by the Evidence given to the House, that Sir *Robert Can* was guilty of the words before mention'd, and order'd him as a Member of the House, to be expel'd the House, and committed to the *Tower*.

Whereupon he was presently call'd to the Bar and received the Judgement of the House upon his knees from the Mouth of the Speaker.

As for Sir *Robert Leomans*, he not being in Town, was order'd to be sent for in custody of the Serjeant attending the House.

The next day being the twenty ninth of *October*, as they had been severe in punishing, so they they began to think of rewarding, and order'd that Dr. *Tongue* should be humbly recommended by the  
the

the House to his Majesty, for the first considerable Church-preferment; that should become void in the Kingdom, and that such of the Members as were of the Privy Council, should represent the same to his Majesty.

The same day the *Address* for the preservation and support of his Majesties Person and Government, being prepar'd and finish'd, was read in the House to this Effect.

*That they did with most thankful hearts acknowledge, not only his Majesties many former Royal Declarations of his adherence to the Protestant Religion, but his farther Manifestation of the same, in his Gracious Speech to both Houses, at the opening of the Parliament. And therefore as the Eyes of all the Protestants abroad were upon them, and that looking upon his Majesty as the Royal Head of so many Protestant Countries, they could not but hope that his Majesty would be the greatest Protection to them, from whom the Kingdom has Reason to expect a Mutual Assistance as being involv'd in the same Danger.*

*They did humbly assure his Majesty, that they would be always ready to pre-*

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*serve his Majesties Person and Government, and to support the Protestant Religion both at home and abroad. Beseeching his Majesty to esteem those that should otherwise represent them to his Majesty, as such who design'd to divide between the King and his People, and defeat the meeting of Parliaments, that the Popish designs might succeed. Which has been made Evident by the Contrivance of a wicked design, to transfer the Guilt of their own Crimes upon his Majesties Loyal Protestant Nobility and Gentry.*

This Address being read and consented to by the whole House, they proceeded to the business of Sir Francis Withens, and to that purpose examin'd several Witnesses at the Bar. At length it appearing not onely by the Evidence, but by the Confession of Sir Francis himself, that he had presented an Address to his Majesty, expressing an abhorrency to Petition for the calling and sitting of Parliaments, it was Resolv'd, That he had betray'd the undoubted Rights of the Subjects of *England*: And Sir Francis was order'd to be expell'd the House, and received his Sentence

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Sentence upon his knees accordingly.

*Saturday*, the thirtieth of *October*, concluded the Parliamentary Transactions of this Month, and little occur'd but that Mr. Secretary *Jenkins* acquainted the House, that his Majesty, being attended by such of the Members as were of the Privy Council, with the *Address* relating to Dr. *Tongue*, was pleas'd to answer, That he had already taken care of him, and would also take him into his farther Consideration.

Then it was also that the Votes of the House were first order'd to be Printed, being first perus'd and sign'd by the Speaker, who had likewise Power to Nominate and appoint the Persons that were to Print the same.

The same day also *Francisco de Feria* deliver'd his Evidence at the Bar of the House, concerning the Plot; the Effect whereof in short was,

*That being preferr'd to be Interpreter, and Secretary of Languages to the Lord Gaspar Abreu de Freitas, Ambassador in Ordinary for the Prince of Portugal to the King of England; That being in great Favour with the said Ambassador, he the said Ambassador did entrust him*

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with several of his Secrets; and that at the Tryal of the five Jesuites, being then private with his Lord, the Ambassador expressed much sorrow for the Oppression of the Catholicks, and wisb'd that Oates and Bedlow were made away; and then told him, that he might doe the Catholick cause great Service, and might make his own Fortune, if he would joyn in destroying Oates and Bedlow: That 50000 Reales d' Ocho should be given for that piece of Service, and that two sufficient Persons should be joyn'd with him to kill the said Oates and Bedlow. That afterwards understanding that Bedlow was not dead in Ireland, as had been reported, the said Ambassador renew'd his Sollicitations to him to kill Oates and Bedlow, promising to make good the said sum of Money to him, to pay his Debts and carry him into Portugal. That the said Ambassador tempted him to kill the Earl of Shaftsbury, by throwing a hand-Grana-do into his Coach as he was travelling upon the Road into the Country.

That after the acquittal of Sir George, he was sent to the said Sir George to tell him from the Ambassador, That his Fortune and Estate were all at his Service, and so was his Princes. That the Catholicks were

were all bound to pray for Sir Philip Floyd for his Generosity. To which Sir George reply'd, That had it not been for him, he had not been sav'd.

That after the Tryal was over, the Embassador went to visit the Lord C. J. Schroggs in his Sedan with his Coach of State. That the Complement was in *Portugueze*, interpreted by himself to this Effect, *My Lord, I am come to visit you, as you are a Minister of State, and as I am sent as Embassador from the Prince of Portugal to the King of England, and am likewise to thank you for the Justice you have done yesterday to Sir George Wakeman. To which my Lord C. J. answered, I am plac'd to do Justice, and will not be curb'd by the Rabble.*

Which Information, amongst the rest, was Printed as it was deliver'd more at large, by order of the House.

The same day also the Commons made new Resolves, *Nemine Contradi-cente*, to proceed to the full Examination of the Popish Plot, in order to the bringing of the Offenders to Justice. To which purpose they appointed a Committee to inspect the Journalls of the two last Parliaments, and make their

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their Report, and order'd an humble Address to be made to his Majesty, that all the Letters, Papers and Evidences, which had been delivered to the Privy Council, relating to the Popish Plot, might be delivered in to the House.

And thus ended *October*.

*Fame.* By the way, what became of the Address for the preservation of his Majesties Person and Government?

*Truth.* Thou shalt hear. For though the Address were made upon the *Saturday* before, according to his Majesties appointment, yet, the House had no accompt of it in a Parliamentary way till the *Munday* following, which was the *First of November*.

But first Mr. Secretary *Jenkins* made his Report concerning the Address that had been orderd to be made for delivery to the House of all Papers, Letters and Evidences concerning the Plot, in the Custody of the Privy Council; To which he gave an accompt in short, That they were already delivered to the Committee of Lords appointed for the examination of the said Plot. Which being done, Mr. Speaker acquainted the House with his Majesties Answer to  
their



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their Address, declaring their Resolutions to preserve and support his Person and Government, &c. which was to this effect.

*That he thanked them heartily for their Zeal to the Protestant Religion, and assur'd them that there should be nothing wanting both at home and abroad to preserve it.*

Little was done the rest of this day, nor much the beginning of the next, which was *Tuesday* the Second of November, till Mr. *Treby* having given a full Information to the House of all matters by him reported in the last Parliament relating to the Popish Plot, the House came to three most Remarkable Resolves, of which two were carry'd with a *Nemine Contradicente*.

The first was, That the *D. of York's* being a Papist, and his hopes of coming to the Crown, had given the greatest countenance to the present designs and Conspiracies against the King and the Protestant Religion.

Secondly, That in defence of the Kings person and Government, and of the Protestant Religion, the House did declare, That they would stand by his Majesty with their Lives and Fortunes,  
and

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and that if his Majesty should come by any Violent death (which God forbid) they would revenge it to the utmost upon the Papists.

Thirdly, That a Bill should be brought in to disenable the *D. of York* to inherit the Imperial Crown of *England*.

In order whereunto a Committee was appointed to sit and prepare a Bill.

Upon *Wednesday* the third of *November* little pass'd of remark, only that the Lords by a Message desired their concurrence to an Act for the better Regulating the Tryals of Peers in *England*; and that in the House of Commons a Resolve was made, *Nemine Contradicente*, That a Bill should be brought in for the better Uniting his Majesties Protestant Subjects.

*Thursday* the Fourth of *January* was less remarkable for business then the day beforegoing; unless I should trouble thee, *Fame*, to carry the relation of preparatory Votes, or the Examinations of breaches of priviledges, or contests about Elections, which are nothing to the Generall Concernment.

*Fame*, Thou art in the right, they are not

not for my purpose, and therefore thou dost well to leave it out.

*Truth.* However I must not omit to tell thee, that the Bill for disabling *James Duke of York* to inherit the Imperial Crown of *England* and *Ireland*, and the Dominions thereunto belonging, was this day read the first time.

The next day being the Fifth of *November* the Houses were both adjourned till *Saturday* the Sixth of *November*; at what time the House taking into their Consideration the business of the dissenting Protestants, came to a unanimous Resolve, that it was The Opinion of the House, that the Acts of Parliament made in the Reign of *Queen Elizabeth*, and *King James*, ought not to be extended against Protestant Dissenters. And thereupon they order'd a Bill to be brought in for repeal of all or any part of the Act of Parliament made in the Thirtyfifth year of *Queen Elizabeth*, Chapter the first, printed in the Statute-book of *Pulton*.

This done, *Mr. Jenison*, being call'd in, gave his Information at the Bar, relating to the Popish Plot. At the conclusion of which, he was orderd to put it in writing, and present it to the House  
on

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on the *Munday* following. The Sum of the Information was this.

*That about the beginning of the year 78<sup>e</sup> he had heard Mr. Ireland, and Mr. Tho. Jenifon, both Jesuits, discourse of a designe by the Roman Catholiks, to obtain a Toleration for the open profession of their Religion in England; which was to be done by collecting a good round Sum of Money among them, and bribing the Parliament. That they also discoursed of securing the Duke of Yorks succession, by granting out Commissions to those of the Religion to rise upon the death of the King. That he heard the said Ireland say at another time, that there was only one in the way who hindred that Religion from flourishing in England; and that it was an easie thing to poison the King by the means of Sir George Wakeman.*

*That in August of the same year, coming from Windsor, he went to Mr. Irelands Chamber, where he found him pulling off his boots, being as he said newly come Post from Wolverhampton. That discoursing of the Kings pastimes at Windsor, and particularly of his going a fishing with a small retinue of two or three, the said Ireland made answer, that then he might be easily taken off. That the said Ireland offered*

offered him to quit him of a debt if he would be assisting to the taking off the King, urging how meritorious it would be, and how much to the glory of God.

That upon his refusall, Mr. Ireland ask'd him if he knew any stout Irish Gentlemen: upon which he nam'd Lavallin, Karney, and Brahal, together with one Wilton, an Englishman. Of which Gentlemen the said Mr. Ireland did approve as fit for the design.

That at another time he heard Mr. Tho. Jenifon say, that if C. R. would not be R. C. he should not be long C. R. Adding, that the King being excommunicate and depos'd, he was no longer King

Having heard this Information, the Bill against the Dukes Inheritance was read a Second time, and two Resolves made.

First, That the Bill should be committed to a Committee of the whole House.

Secondly, which was done *Nemine Contradicente*, That the exclusion in the said Bill should not extend any further then the Person of the Duke of York only. After which the House adjourned till Munday the Eighth of November; the most remarkable passages of which day were, first a Conference with the Peers, manag'd by the Lord Privy Seal, at what

what time his Lordship did deliver to Mr. *Hampden*, and the rest of the Members, severall Examinations in writing relating to the Popish Plot, acquainting them farther, That all other Papers of the same Concern, in the Custody of their Clerk, should be delivered to the Clerk of the House of Commons, upon his giving a Receipt for the same.

The Second was the Release of Sir *Robert Can* from his imprisonment, upon his petition and acknowledgement of his offence. And

The third was the Resolving of the whole House into a Grand Committee, to proceed in the Bill of Exclusion, which was done so effectually, that after severall Clauses added, and Amendments made, the Bill was orderd to be engross'd.

*Fame.* Was that Bill never to be seen?

*Truth.* Yes, I have seen it my self in severall Coffee-Houles. And therefore to save thy longing, I will here briefly recite the Heads of it.

*Fame.* That's as much as I desire, for the rest is but matter of Form.

*Truth.* That whereas the D. of Y. was notoriously known to have been perverted  
from

from the Protestant to the Popish Religion, whereby not only great encouragement has been given to the Popish party to carry on a devilish Conspiracy for the destruction of his Majesties Person and Government, but that if the D. should succeed to the Imperial Crown of this Kingdom, nothing would be more manifest than a total Change of Religion: Be it therefore Enacted, That the said I. D. of Y. be made for ever incapable to Inherit the Imperial Crown of the Kingdoms of England and Ireland &c. And that if the said D. of Y. shall at any time hereafter challenge or attempt to possess or enjoy, or take upon him to exercise any Authority or Jurisdiction within the said Kingdoms &c. That he shall be deem'd Guilty of High Treason and suffer accordingly. And that all Persons that shall assist him in such Challenge or Attempt, or shall themselves attempt or endeavour to put or bring him into the Possession of the Regal Power, or by Preaching or Writing maintain that he hath any Right or Title to the same, shall be deem'd Guilty of High Treason, and suffer accordingly. And that the said D. of York after the Fifth of November 1680 shall not return into any of the Kingdoms aforesaid; or if he doe, he

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shall

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shall be adjudg'd Guilty of High Treason. That being so Guilty of the Treasons aforesaid, neither the Duke or any other Person, shall be capable of the benefit of any Pardon otherwise then by Act of Parliament, wherein they shall be particularly nam'd.

All Magistrates, Officers, and other Subjects, are also empowered to apprehend the said D. or any other Persons offending in any of these Premises.

The Act to extend no farther than the Person of the D.

Lastly, The Act to be given in Charge at all Assizes and Sessions of the Peace, and to be openly read in all Cathedrals and Parish Churches, &c. upon the Twenty-fifth of December, and Easterday, during the life of the Duke.

The next day being Tuesday, the ninth of November, the King sent a Message to the House in writing, by Mr. Secretary Jenkins, desiring the House, as well for the Satisfaction of his People as of himself, to expedite such Matters as were depending before them, relating to Popery and the Plot, and to rest assur'd, that all Remedies they should tender to his Majesty, conducing to those ends, should be very acceptable to him; Provided they



they were such as might consist with preserving the Succession of the Crown in its due and Legal Course of Descent.

Then Mr. Turberville being called in, gave in his Information, first by word of Mouth, and when he had done, delivered the same in writing.

The effect whereof (in short) was, That he living in the Family of the E. of Powis grew very intimately acquainted with William Morgan, Confessor to the said Earl and his Family; being a Jesuite, and Rector over all the Jesuits in those parts; and that he had often heard the said Morgan tell the said Earl, and his Lady, that the Kingdom was in a high Fever, and that nothing but bloodletting could restore it to health. That Father Cudworth, Guardian of the Fryers at Doway, had told him, that this King should not last long. That in the year 1675 he was introdu'd into the acquaintance of the Lord Viscount Stafford at Paris, to whom he had great freedom, and liberty of access: Who at length, after many solemn promises of exadled secrecie, told him in direct Term, That he might make himself and the Nation happy by taking away the Life of the King; who

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*was a Heretick and a Rebel to God. Lastly, That he was present at Mass with the Lord Powis in Vere-Street, where the E. of Castlemaine said Mass in his Priestly habit.*

*Wednesday the tenth of November little past of Consequence, more then that the Peers sent down to the House of Commons for their Concurrence to an Act which they had pass'd for freeing the City of London and his Majesties Court, and Parts adjacent, from Popish Inhabitants, and providing against other dangers which might arise from Papists.*

*Then taking into Consideration the short Message sent them the day before by his Majesty, and delivered by Mr. Secretary Jenkins, they made two Resolves,*

*That a Committee should be appoynted to draw up an Address to his Majesty in Answer to his speech*

*And in the second place, That they would proceed in the Prosecution of the Lords in the Tower, and forthwith begin with the Lord Viscount Stafford.*

*Fame. I have heard say, that several Addresses were made to his Majesty, for the Pardons and Maintenance of the several*

veral Witnesses that had given in their Informations.

*Truth.* 'Tis very certain; and 'twas no more than what you might have related almost upon supposition. So that it will be enough to say, for the effects shewed it to be real, That all the humble Addresses in that nature were answered. Besides that it is our business to pass over Things of lesser moment as lightly as we can. And thus from the tenth we come to *Thursday* the Eleventh of *November*, taken up for the most part with rectifying Elections, till Sir *William Jones* reporting, *That the address in answer to his Majesties last Message was ready*, having read it in his place, delivered it to the Clerks Table; after which it was againe read by the whole House, and agreed upon.

Which being done, and the engross'd Bill of Exclusion this day read a third time; the Resolution of the House was, That the Bill should Pass, and that the Title should be, *An Act for securing the Protestant Religion, by disabling James D. of York to inherit the Imperiall Crowns of England and Ireland and the Dominions and Territories thereunto belonging*; and

the Lord *Ruffel* was order'd to carry it up to the Lords for their Concurrence.

*Friday* the Twelfth of *November* some time was spent in reading the Engrosed Bill sent up on the *Wednesday* before from the Lords, for freeing the City and Court, &c. from Popish Inhabitants, &c. Of which, and of others no farther proceeded in, it is enough to speak of their transmitment from one House to another, as being such as dy'd among the rest in the Birth.

After this, and some Amendments made of the Returns for the Burrough of *Haslemere* in *Surrey*, Mr. *Bourk*, Mr. *Macnamarr*, and *Eustace Comine*, being severally called in, gave their several Accounts of some proceedings relating to the Popish Plot in *Ireland*. Of their Informations I shall briefly recite the Heads in their Order.

That of Mr. *Bourk* was briefly thus, *That being by the Kindness of one Major Butler admitted to the knowledg of the Earl of Tyrone, and by that means frequently keeping his Lordship Company in his pastimes both at home and abroad, he observ'd that the said Earl and the Major would be allway extolling the French King, and*  
*praying*

praying for his Prosperitie: That he farther observed a Continual resort of Papists and Suspicious Persons to the said Earls House: That being one Morning private with his Lordship, his Lordship told him, That he had intelligence out of France, that the French were very Powerful, and that Parlez Francois, would be plentifully heard in Ireland ere long.

That in farther discourse, his Lordship drew out of his Pocket a great Quantitie of Papers roll'd up and delivered him to subscribe his name in one of them, and that upon a sudden Glance he could read the names of some that he knew to be persons ill affected to his Majesty and his Government. That upon his refusal to Subscribe, his Lordship call'd him Cowar'd, and drew his Sword half out of his Scabbard to have kill'd him, but was prevented by the unexpected coming in of another Gentleman. That from that time forward his Lordship us'd several means to Ruine him, and threw him into Waterford-Gaol. From whence he wrote five Letters to the Lord Lieutenant of his hard Usage, and what he had to say as to the Conspiracy, but could have no Answer. That being got out of Waterford-Gaol, he gave in his In-

formations against the said Earl at Dublin, where though his Lordship were bound over to answer the Informant at Waterford-Affizes; yet such was his power over the Judges and the Jury, that he easily got himself acquitted. So that finding Ireland then too hot for him, the Informant was forc'd to retire into England to make his Appeale.

The heads of Macnamar's Information were these, That one William Bradley Esq; a Justice of the Peace in the County of Waterford, having first made him take an Oath of Secrecie, gave him to understand, that the Earle of Tyrone had received a Commission from the French King to be a Colonel of Horse, in the County of Waterford, and that the said Bradley was to be his Lieutenant Col, and therefore desir'd him to provide himselfe of Horse and Arms, and get as many as he could trust, promising him a Captains Place.

That after Bradley had unfolded to him the aforesaid Treason, he met with the E. of Tyrone, who ask'd him privately, whether Bradley had said any thing to him; who answering, he had; the E. bid him be very private, and then shew'd him a List of several that were to be Superiour Officers

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*Officers in several Counties of Ireland, which he took special notice of, as knowing several of the Persons.*

*That the said E. at the same time told him, that he had a Commission from the French King under his Hand and Seal, to be a Col. of Horse in the County of Waterford, and that there was hardly a County in Ireland, where Persons were not appointed by the French King for the same purpose, with other discourse of the same Nature.*

*The Substance of Eustace Comins Information was this, That living with one Keadagh Magher, his Relation, in Karrignisurie in the County of Tipperary, Treasurer for the Confederates in Ireland, he was privy to the Payment of several Considerable Sums to several Considerable Persons upon the accompt of the Plot, by the directions of Plunket, titular Primate of Ireland, Bremand Titular Archbishop of Cashel, and Powes Deane of Waterford; who had the disposal of the said Money.*

*That there was a meeting of the Irish Clergy with the Titular Primate, at John Walshe's House, who was Lawyer for the D. of Ormond in the County of Tipperary, where they agreed to give every Judge*

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*Judge that would goe the Circuite, and befriend them upon Occasion 200 l. a piece.*

*That the Sum of 200l. was secur'd to Sir John Davis upon the same accompt, he being then a Judge at Clonmel, of which he was an Eye Witness.*

*Lastly, after the recital of many other Circumstances, of his being pursu'd and imprison'd by Sir John Davis, and several other Justices of the Peace, Contrary to their duty, for his discovery, he affirmed that the Papists had Barbarously Murder'd the said Keadagh Magher their Treasurer, when they found that he detested their design and was turn'd Protestant.*

The House having heard these Informations, order'd that an Address should be made to his Majesty for their several Pardons, and that his Majesty would be pleas'd to take them into his care and protection.

After this a Message was sent to the Lords, to acquaint them with the Resolution of the House to proceed to the Tryal of the Lords in the Tower, and that they intended to begin with *William Viscount Stafford*, and therefore desired their Lordships to appoint a day; as also that the Lords in the Tower might



might be confin'd, and kept from a Correspondence one with another, as Persons Impeached and Committed for high Treason ought to be.

To which the Lords return'd for answer, *That as to that part of the Message, relating to Confinement and Correspondence, they had already given Order therein, as the House had desired; and for the latter, for appointing a day for the Tryal, they did appoint Tuesday come fortnight.*

Thereupon they order'd a farther Address to be made to his Majesty, *That all Papers, Writings, Examinations, and Evidences, relating to the Popish Plot, which had been deliver'd to the Clerks of the Council or the Secretaries, since the dissolution of the last Parliament, should be transmitted to the House; and order'd that Serjeant Maynard, Mr. George Pelham, and Mr. Paul Foly should be added to the Committee appointed to prepare Evidence against the Lords in the Tower.*

They likewise order'd, *That another Address should be made to his Majesty, That he would be pleased to give orders for Issuing out a Sum of Money to defray*

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fray the Charges of Summoning the Witnesses, and other Expences incident to the prosecution of the said Lords.

And farther that Such Money as his Majesty should be pleas'd to direct to be fet out for the use aforesaid, should be deposited in the hands of Mr. *Charles Clare*.

*Fame.* All this while you do not tell me how the Lords receiv'd the Bill of Exclusion.

*Truth.* All in good Time. \* For it was impossible for me to interrupt the Series of the foregoing Orders that depended one upon another. You must know then in short, that this Bill as it was of great weight, so it occasioned a long debate in the House. But at length when it came to the Vote, it was utterly rejected by the Number of Voices; there being no less then Sixty three against the passing of it, and but Thirty one for it.

*Saturday the Eleventh of November,* Mr. Secretary *Jenkins* acquainted the House, with his Majesties Answer to severall of their Late Addresses.

That, as to the issuing out of Money for the Expences of the Tryals, *he had directed*

*directed a hundred pound to be paid to the Person that should be appointed by the House to receive it.*

That, as for the delivery of the Papers, writings, and Evidences concerning the Plot, upon the Sitting of the Committee of the Lords, *he had directed them to be transmitted thither, where they remain'd,*

And that as for the pardons for the *Irish Evidence, he would grant them all Pardons for all Treasons, Misprisions of Treasons, Felonies and outlarries for Felonies.*

*Fame.* All this while I heare nothing of the Address, which was order'd to be made in answer to his Majesties Message of the Ninth of this Month.

*Truth.* All that I can say is, that his Majesty appointed the House to meet him this very day at three of the Clock in the Banqueting House in order to that Address; But because I find no farther mention made of it in the Votes of the House, I made no farther Inquirie after it.

*Fame.* Since then you have propos'd so good a Rule to your self observe it.

*Truth.* 'Tis what I am bound to do, if

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I intend to be what I profess my self.

To goe on then, the next remarkable Passage of this day, was the forgiving Sir *Robert Teamans*, who being called to the Bar, acknowledg'd the Offence he had committed; For which submission, and his begging pardon, he was only put to receive the rebuke of the House upon his knees, and so discharg'd.

Mr. *Norris* was then call'd in, who gave an Information in writing relating to the Popish Plot, which occasion'd an Order, for appointing a Committee to receive Informations, concerning the Popish Plot; to which Committee it was also at the same time refer'd, to examine the matter of Mr. *Norris's* Information, and to report the same; of which more hereafter.

Mr. *Trenchard* then reported from the Committee, to which the Petition of divers Citizens of *London* against Sir *George Jefferies*, was refer'd, That the Committee had heard the Evidence on both sides, and that it was the Opinion of the Committee, upon the Evidence given them, that the said Sir *George Jefferies* by traducing and Obstruding Petitioning for the sitting of the Parliament

ment, had betrayed the Rights of the Subjects. Upon which it was resolv'd that the House did agree with the Committee, and order'd an Address to be presented to his Majesty, for removing Sir George Jefferies out of all publick Offices, and that the Members serving for the City should Communicate the Vote and Resolution of the House relating to Sir George Jefferies, to the Court of Aldermen.

The Address was to this effect.

*That haveing receiv'd a Complaint against Sir George Jefferies, and having heard the Evidence against him, and his defence, and being satisfi'd that the said Sir George, to serve his own ends, to create a misunderstanding between his Majesty and his People, did declare the Petitioning of the Citizens of London for the Sitting of the Parliament, to be Tumultuous, Seditious and Illegal, and threaten that if they did so Petition there should be no meeting nor sitting of the Parliament, thereby traducing his Majesty, as if he meant not to pursue his gracious intentions, they did therefore most humbly beseech his Majesty to remove the said Sir George from the Chief Justiceship of Chester,*  
*and*

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and from all other his publick Offices and Employments.

They likewise appointed a Committee to enquire into all such Persons as had been advising or promoting the Proclamation, Entituled, *a Proclamation against Tumultuary Petitioning*, empowering them to that purpose, to send for Persons, Papers, and Records.

Monday the Fifteenth of November, Mr. Secretary *Jenkins* deliver'd a short Message in writing from his Majesty, Intimating *That his Majesty had at the opening of the Sessions, in his speech desired the advice and Assistance of his Parliament in Relation to Tangeir. The Condition and importance of which place, oblig'd him to put them againe in mind that he rely'd upon them for the support of it: Without which it could not be much longer preserved. And therefore earnestly recommended Tangeir to the due and speedy care and consideration of the House.*

This Message being read and some other debates being over, Mr. *Dugdale* was call'd in, and gave his farther Information, relating to the Popish Plot in writing. The most considerable heads whereof were these.

*That*

*That about the Twenty first of September, 1678. He being in Company with Mr. Ewers and one Hosbon, amongst other discourse they both declar'd, That their design in carrying on the Plot, was to kill the D. of Monmouth as well as the King; which horrid Acts the Lord Stafford at the same time propos'd for him to do.*

*That in a Letter directed to Mr. Ewers, which he brake open and found to be the Lord Staffords hand, he read the following words, That things went well beyond the Seas for Carry- ing on the Plot, and hop'd it did so here in England. And that for the pardoning of those that were concern'd therein, Mr. Ewers told him, that there were several Indulgences, which he believed came from Ireland, to whom they were transmitted from Rome.*

*That he very well remember'd that there was a meeting of the Jesuites in April 1678. for that Mr. Ewers and other Jesuits went out of Staffordshire up to London, to be there at it.*

*That several Sums of Money were collected from several Gentlemen in the Countrey to carry on the design; and that he himself received 500 l. of Mr. Va-*

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valour and Mr. Gawen at Wolverhampton, which he return'd up to Mr. Harcourt.

That at another time Mr. Ireland told him, that when he came to London, he would give him Instructions how to proceed in his business; for that he could not well tell how the business went, till he had spoken with the Lords Bellasis and Arundel of Warder, who wou'd prove the Loyallest persons for Tru, and Counsel in the world.

That at another time, questioning Mr. Ewers what Persons of Quality did countenance the design? He made answer, Several in several Places; and that the Lord Arundel of Warder, was to undertake the most part of the design, and with the Lord Bellasis to give orders both as to the taking the Kings life away, as also the D. of Monmouths, for the Establisshing the Romish Religion and Government in this Kingdom.

That rewards were agreed to be given to such as should deserve them; and that the Informant was to have an Equal share with one Capt. Aderly. Which rewards were to be distributed by the D. of York, the Lord Belasis, and some other Persons:

it



it being alledg'd by the Conspirators, that there would be Lands enough of the Protestants to reward every one.

That he had intercepted several Letters from St. Omers and Paris to Mr. Ewers, wherein mention was made of several Sums of Money laid out for Arms, particularly two Sums of 500 l. and 700 l. upon the accompt of the Popish Plot in England.

That in September 1678. The Lord Stafford discoursing Mr. Ewers and the Informant in the great Parlour at Tixal, told them that the reason of his dissatisfaction against the King was, that he saw his favours rather dispos'd to Rebels and Traytors, than to those that had serv'd him; which was enough, if there were not the Consideration of Religion, which was above all others.

That at the General Meeting at Tixal in September aforesaid, the Lord Stafford, Lord Aston, and others, upon a full debate of all their preceeding Transactions and Instructions for carrying on their design, resolv'd to confirm the Oaths which they had severally before taken, which was to kill the King, and Establish the Romish Religion in this Kingdom. At what time the Lord Stafford engag'd to

*make good his promises to the Informant both of Money and other necessaries for his encouragement.*

*Thursday the Sixteenth of November, nothing more was done, but only that the Bayliff of Westminster amended one of the Returns for that place, and put in Sir William Wallers name instead of Sir Francis Withens: Which being done, the House adjourn'd till the next day, being Wednesday morning the Seventeenth of November. At what time they took into Consideration his Majesties Message relating to Tangier; and appointed a Committee to draw up an Address, to represent to his Majesty the dangerous Estate and Condition of the Kingdom, in Answer to the said Message.*

*The same day also they order'd another Address to be made to his Majesty for the Removal of George Earl of Halifax from his presence and Councils for ever.*

*The Substance of the Address was as followes,*

*That being deeply sensible of the dangers and mischiefs occasion'd to the Kingdom, by the dissolution of the last Parliament*

Parliament, and the frequent Prorogations of the present, and having just reason to believe that the said dissolution was promoted by the evil Counsel of the E. of Halifax. They did therefore most humbly pray his Majesty, for the taking away all occasions of mistrust betwen his Majesty and them, and for their greater encouragement, to perfect such matters as lay before them for the preservation of his Majesties Person and Government, and the Protestant Religion, that he would be gratioously pleas'd to remove the said Earl from his presence and Councils for ever.

To which his Majesty return'd for Answer,

That he did not find the Grounds in the Address, to be sufficient for him to remove the said Earl. But he assur'd them, that whenever they should in a Due and Regular Course prove any Crime either against him, or any other Person, he would leave both him and them to their own Legal defence, without interposing his mediation.

Thursday the Eighteenth of November, Mr. Treby was sent to the Peers, to desire their Lordships to communicate to the Commons such Writings and Evi-

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dences which they had receiv'd from the Clerks of the Council; to which the Lords readily condescended according to their desire.

The next day being *Friday* the Nineteenth of the Month, *Benjamin Harris*, Bookseller, then and still a Prisoner in the Kings Bench, *ad sectam Regis*, for a Fine of 500 l. for a Misdemeanour by him Committed, having presented a Petition to the House, the same was read, and thereupon a Resolve made, that Address should be presented to the King to desire him to Pardon the said Fine.

After which follow'd an Order, that a Committee should be appointed to draw up a Bill for the ascertaining of Fines upon misdemeanours.

The same day *Serjeant Rigby* reported from the Committee appointed to enquire after Obstructors of Petitioning, that the Grand-Juries of *Devon* and *Somerset*, were more especially found to be tardy, and that Capt. *William Castle* being summon'd to attend the Committee, had contemptuously neglected so to do. Thereupon the House order'd that *Sir Giles Phillips*, Mr. *William*

*iam Stawel, Mr. Hutchinson, and Mr. Walrond* should be sent for in Custody of the Serjeant of Arms.

The same day Mr. Zeal, being call'd to the Bar of the House, delivered his Information at the Bar

The Effect whereof in short was this; *That being a Prisoner in the Marshalsea, Mrs. Celier came several times to him, and treated with him to be not only Instrumental himself, but to procure others to joyn with him to fire the Kings Ships as they lay in harbour; as also to swear against the Earl of Shaftesbury such Articles of High Treason, as she should get ready prepar'd for him to that purpose.*

His Information being heard, the House order'd, that Application should be made to his Majesty for his Pardon, and some present Allowance.

Other Applications were also order'd to be made to his Majesty in the behalf of Mr. *Hetbrington*, and the *Irish* Evidence, for their Expences and present Support; as also in the behalf of Mr. *Smith*, who had made a Considerable discovery of the Popish Plot, for some Ecclesiastical Preferment.

To which and some other Addresses formerly made, his Majesty, upon the meeting of the House the next day, being *Saturday* the Twentieth of the Month, by Mr. *Secretary Jenkins*, return'd his distinct Answers.

*That as to the Address in relation to Sir George Jefferies, He would Consider of it.*

*That as for Lewis, He would Pardon him all Offences but Perjury, and that Consideration should be had of a reasonable Allowance for him.*

*That as for the Irish Evidence, That in regard of their number, and Circumstances of their Persons not yet well known, he had referr'd it to the Lords Commissioners of the Treasury.*

*And, that for Mr. Smith, he would take him into Consideration.*

But the House not satisfi'd with his Majesties Exception in the Pardon of Lewis, resolv'd upon another Address, *That all Pardons granted to any of the Persons for whom Application had been made, should extend to all Crimes and Misdeameanours whatsoever, till the last of their respective discoveries.*

After which Mr. *Trenchard* reported  
from

from the Committee for Enquiring, after the Obstructors of Petitioning, that Information had been given them, that Examinations had been taken upon Oath by Five Justices of the Peace in *Monmouthshire*, viz. *John Herbert*, *Henry Baker*, *William Herbert*, *William James*, and *Robert Gunter* Esquires against *John Arnold* Esq; for promoting Subscriptions to a Petition for sitting of the Parliament, and that the said Examination was sent up to the Council, and Exhibited in charge as an Article against the said *Mr. Arnold*, and Prosecuted by *Thomas Herbert* Esq;

The House order'd, *That the said Mr. Tho. Herbert should be sent for into Custody.*

They also Voted *Mr. Thomas Staples*, and *Sir Thomas Holt*, Serjeant at Law, for the same offence guilty of betraying the rights of the Subject, and order'd them to be sent for in Custody, likewise to answer at the Bar for the Misdemeanours they had Committed.

The same day *Mr. Treby* acquainting the House that he had made an Abstract in writing of several Letters and Papers relating to the Plot, it was order'd

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der'd, that the said Letters and Papers should be Printed, and that Mr. Treby should take care therein.

These Letters were soon after Printed and Contain'd several Correspondencies between *Coleman*, and the King of *France's* Confessour, the Popes *Internuncio*, the Late Earl of *Berkshire*, *St. Germaine*, Father *Sheldon*, all Agitators, and busy Sticklers for the Plot and the *D. of Yorks* Interest.

Together with several Instruments and Priviledges granted by the Pope to the *English* and *Scotish Roman Catholics*, and Profelytes, found in the hands of the Five Jesuits, and Mr. *Daniel Arthur*.

*Fame.* But what was contain'd in all those Letters? For I find them to be a great many.

*Truth.* In the first place, a continu'd Intelligence of the Transactions and Proceedings of the Popish Party.

In the next place a plain discovery of the Negotiations and Correspondency of the Duke with the Pope, the Emperour and the King of *France*.

And lastly frequent importunities for Mony and other Assistances for the Duke



Duke to carry on his most important designs, which were to make himself Master of the King, and prevent the sitting of Parliaments.

Sir *Gilbert Gerard* then acquainted the House, that he had Articles of High Crimes and Misdemeanours against *Edward Seymour* Esq; a Member of the House, which he gave in at the Clerks Table. Upon which the House order'd Mr. *Seymour* a Copy of the Articles, and prefix'd him a day to make his defence.

*Fame.* Were there no Bills brought into the House all this while?

*Truth.* There were several under debate and preparation: But because they never came to perfection, I shall only content my self to give you a List of them at the latter end of the Book, which will be sufficient to shew you what was really intended. And so I come to

*Munday the Twenty second of November.*

Upon which day the most remarkable Occurrences were his Majesties Answers to the Addresses of the House, First in behalf of Mr. *Zeale*, to which his Majesty was pleas'd to Condescend, in reference

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*ference both to his Pardon and Allowance.*

Secondly, in behalf of all those for whom Application had been made, that their Pardons should be general for all Crimes and Misdemeanours whatsoever, without Limitation.

To which his Majesty return'd for Answer, *That he would Pardon them for all Treasons, Misprisions, Felonies and Out-laries after Treason or Felony, and give order that a Noli prosequi should be enter'd to stop all Prosecutions against them for all Crimes and Misdemeanours whatsoever. But that his Majesty apprehended there might be some Inconveniency in granting Pardons so general as was then desir'd. However rather than the Tryals should be hinder'd or Prejudic'd he would give such order as should be agreeable to Justice.*

*Tuesday the Twenty third of November, the Address for appointing a publick fast and day of Humiliation through the whole Kingdom was reported and agreed to, and confirm'd by the Concurrence of the Lords.*

The same day several Persons who had been of the Grand-Jury the last *Trinity* Term for the County of *Middlesex*, being called in, gave an accompt of

of the Proceedings of the Court of Kings Bench in Reference to the discharging of Grand-Juries.

Other Persons being call'd in, gave an accompt of the Charge given by *Baron Weston* the last past Summer Assizes for the County of *Surrey*: Upon the debate of which two Informations, it was resolv'd *Nemine Contradicente*,

*That the discharging of a Grand-Jury before the end of a Term, Assizes or Sessions, while business was depending before them, was Arbitrary, Illegal, contrary to the Judges Oaths, and tending to the Subversion of the Fundamental Laws of the Kingdom; and that therefore a Committee should be appointed to Examine the Proceedings of the Judges in Westminster Hall, and report their Opinions.*

The next day being *Wednesday* the Twenty fifth of this Month an Address was resolv'd upon to desire his Majesties favour, that all Dissenters prosecuted upon the penal Statutes of *Queen Elizabeth*, and *King James*, against Popish Recusants might be admitted to a Composition in the *Exchequer* without Paying Fees.

The Attorney General being then call'd

call'd in, and Examined in reference to the Proclamation against Tumultuous Petitioning, and declaring that Sir Francis North was advising and assisting in the drawing up and passing the said Proclamation, It was thereupon resolv'd, *Nemine Contradicente*, That the Evidence given against Sir Francis North, was a Sufficient ground for the House to proceed against him upon an Impeachment for High Crimes and Misdemeanours: And order'd the Committee appointed to Examine the proceedings of the Judges to draw up an Impeachment accordingly.

Thursday the Twenty fifth of November, nothing in the morning was done Conducing to the Series of this Relation; only that the Undersheriff of Norfolk being complain'd against, was order'd to be sent for, to answer several abuses and miscarriages laid to his Charge.

But in the Afternoon according to Appointment, the House attended his Majesty in the Banqueting House with their Address for a Publick Fast, to this Effect.

*That being deeply sensible of the sad and Calamitous Condition of the Kingdom, occasion'd by the Impious and Horrid Conspiracies*

*spiracies of the Popish Party; still persisting in the same detestable Machinations, notwithstanding the many discoveries by Gods mercy and Providence brought to light, which impending judgment not being otherwise to be prevented but by Gods particular blessing upon his Majesties Great Council the Parliament, they did in all Humility beseech his Majesty that a day might be solemnly set apart by his Royal Proclamation, to the end that by Fasting and Prayer the Goodness and Power of God might be implor'd to divert his Judgements and defeat the Wicked Counsels and devices of the Enemies.*

*To which his Majesties Answer was, That he would give order for a Day of Humiliation as was desired.*

*Friday the Twenty eighth of November, his Majesty return'd his Answer in the behalf of the Protestant Dissenters, That they should be discharg'd, and that without Fees, as far as might be done according to Law, and that they should be recommended to the Judges.*

*The same day the House resum'd the debate relating to the Impeachment of Mr. Seymour, and at length resolv'd, That there was matter sufficient in the Four Articles upon which to Impeach him*

him. Whereupon an Impeachment was drawn up to this Effect,

*That whereas the Sum of Five hundred Eighty four thousand nine hundred seventy eight Pounds two shillings two pence was rais'd by Act of Parliament for the speedy building Thirty Ships of War, and thereby appropriated to that use; and whereas it was Provided by the said Act, That the Treasurer of the Navy should keep the said Money apart, and pay it forth to no other use or intent but only for the building and Rigging of the said Thirty Ships. Tet that he contrary to the said Act, and his duty did lend the sum of 90000*l.* Parcel of the said Mony, at Eight per cent, for the support and continuance of an Army that then ought to have been disbanded by Act of Parliament, whereby two Acts were Eluded and the Army Continu'd, to the great hazard and danger of the Peace and Safety of the Nation.*

*Secondly, That whereas the Pole-mony was rais'd by Act of Parliament to enable his Majesty to enter into an Actual War against the French King, and only for that use, And whereas certain Eastland Merchants did undertake to furnish his Majesties Stores upon assurance of Forty thousand*

thousand pounds, parcel of the said Mony deposited in the hands of the said Mr. Seymour as was by him acknowledged, yet that he the said Mr. Seymour pay'd away the said Forty thousand pounds to the Victuallers of the Navy by way of advance, and for Provisions not brought in. Whereas by the Provision of the Act, the said Money should have been paid to the said East-land Merchants.

Thirdly, That notwithstanding he had 3000 l. a year for attending the Office of Treasurer, yet that out of the Money appointed for secret service he received 3000 l. a year more, which was duly paid him, as well during the Sessions, as during the Intervals of Parliament; and particularly during the Prorogation of Fifteen Months.

Fourthly, That on or about the Eighteenth year of his Majesties Reign, during the Dutch War, the said Ed. Seymour being one of the Commissioners of Prize Goods did fraudulently and in deceit of his Majesty unlade a certain prize Ship taken from the Dutch without any Authority for so doing; and sell the Goods, pretending them to be only Muscovado Sugars, And accounted with his Majesty  
E for

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*for such, whereas in truth the Ship was laden with Cocheneel, and Indico, goods of great value.*

*Saturday* the Twenty seventh of *November*, nothing was done to the advantage of this *Compendium*; only that whereas the Commons had sent a Message to the Peers, to desire them to appoint a Committee to joyn with a Committee of theirs for adjusting the Methods and Circumstances relating to the Tryals of the Lords in the *Tower*; the Lords return'd their Answer this day, That they had appointed a Committee of their Members in Compliance with the Message of the Commons, to which purpose they had appointed five Lords to meet in the afternoon in the Court of Wards. Whereupon the Commons elected ten of their Members to meet the said Lords according to the appointment.

*Monday, November 29.* nothing was done remarkable to our purpose.

In the afternoon, according to appointment the House attended his Majesty in the Banquetting House, where they presented him with their Address in Answer to his Message relating



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relating to Tangier, to this Effect.

*That having taken into their serious consideration his Majesties late Message relating to Tangier, could not but account the present Condition of it, after so vast a Treasure expended to make it useful, not only as one Infelicity more added to the afflicted State of the Nation, but as the result of those Counsels which had brought his Majesties Person and Kingdoms into those imminent Dangers, which at present surrounded them, that they were the less surpriz'd to hear of the Exigence of Tangier, remembering that since it became a part of the English Dominions, it had been several times commanded by Popish Governours, in particular a Lord impeached, and in the Tower for the Popish Plot, and that the supplies sent thither consisted most of Popish Officers and Soldiers. And therefore as to his Majesties recommendation of it to their Care, they did with all Humility and reverence Answer, That though in due time they should omit nothing incumbent upon them, for preservation of every part of his Majesties Dominions; yet when such a storm of Ruin and Confusion threatn'd the Land, to come to any*

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*resolutions in that matter, before they were secured from the dangers arising from the Power of Popish Persons and Councils, they did not conceive would consist either with their duty or their Trust.*

*Then they dilated upon the restless endeavours of the Popish Party, the miraculous discovery of their designs, and their Contin'd influence at Court, and the Arbitrary proceedings of corrupted Justice in the intervals of Parliament, all which they represented at large to his Majesty.*

*And therefore out of their Allegiance to his Majesty, their Zeal to Religion, their faithfulness to their Country, they had upon mature deliberation propos'd one Remedy of those great Evils, without which all others would prove vain and fruitless. So that if after all the Private Suggestions of the accomplices of the Popish Party should yet prevail to obstruct their faithful Endeavours, they should have this remaining Comfort, to have freed themselves from the Guilt of that blood and desolation which is like to ensue. But yet that their only hope next under God was in his Majesty, that by his great wisdom and goodness they should be secur'd from Popery and all the Evils attending*

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attending it: and that none but Persons of known Fidelity to his Majesty, and sincere affection to the Protestant Religion should be put into any employment Civil or Military; that while they should give a Supply to Tangier, they might be assur'd, they did not augment the strength of the Popish adversary nor encrease the publick danger. Which desires of theirs if his Majesty would vouchsafe to grant, they would not only be ready to assist his Majesty, in defence of Tangier, but do whatsoever else should be in their power to enable his Majesty to protect the Protestant Religion both at home and abroad, and to repel the attempts of his and the Kingdoms Enemies.

*Fame.* What was the Answer which his Majesty was pleas'd to give to this Address?

*Truth.* I find no mention of any in the accompt which the Commons gave of their own Transactions; which makes me forbear to insert the Vulgar Reports,

And now between the next day, which was the Thirtieth of November, and the Eighth of December, you must expect a vacancy of Parliamentary business, both Houses being busied in the Tryal of the Lord Stafford, from day

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to day till that time. For though the House did sit in the Afternoons, yet it was either to release Prisoners, or hear Petitions, which are things altogether out of our Diocess.

The Tryal began the Thirtieth of November 1680. and continu'd till the Seventeenth of December following.

The first day, the Lord High Steward, *Heneage Lord Finch*, Lord High Chancellor of *England*, the Nobility, and the Commons of *England*, having taken their severall and distinct places in Court, And the Prisoner being brought to the Bar, the Lord High Steward spake to him to this Effect,

*That the Commons of England had impeached him of High Treason, for which he was then to be Try'd, that he was not try'd upon the Indictment found by the Grand-Jury, but prosecuted by the Loud complaints of the Commons, and to be try'd upon the presentment of the Grand Inquest of the whole Nation.*

*That he was to be therefore Judg'd by the whole Body of the House of Peers, where the ballance would be exactly kept.*

*And that therefore if his zeal had engag'd him in such deep and black designs*

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signes as he was charg'd with, he must expect to reap what he had sown. Admonishing him lastly, to hear with patience what should be said against him,

The Charge being then read, the substance of the Impeachment was,

### I.

*That there had been a Traiterous Plot and Conspiracy both in England and other Places, to alter and subvert the Ancient Government, and true Religion established in the Land. which Plot was carried and contrived by Persons of several Qualities and Degrees.*

### II.

*That for the accomplishing of the said wicked and traiterous design, he had agreed and conspir'd with others to imprison, depose and murther the King and to Subject the Kingdom to the Pope, and his Government. To restore the Abbys, Monasteries &c. so long agoe Suppressed, for their Idolatry and Superstition:*

*And by that means to destroy his Majesty, Extirpate the Protestant Religion*

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ligion, and overthrow the Rights and Properties of his Majesties Subjects.

### III.

That he with the rest of the Traytors had held several Meetings and Consultations, where it was contriv'd and design'd by what means, and what Instruments should be us'd to murder his Majesty. That it was there resolv'd to Effect the same by Poisoning, Shooting, Stabbing; and that at the same places rewards were offered to several Persons to execute the same.

### IV.

That he with the rest had Consulted to raise Men, Money, Armes and Ammunition, and had Corresponded with the Pope, his Cardinals and Nuntio's, and with other Forein Ministers for the raising and obtaining of Men, Money, &c. for the raising of War within the Kingdom and invading the same with Forein Forces.

That

V.

*That he with the rest had procured and delivered out several Instruments and Commissions, made and granted by the Pope and other unlawful Authorities for the raising and disposing Men, Money, &c. and particularly for him the said Lord Viscount Stafford to be paymaster of the Army.*

VI.

*That to hinder the discovery of the said Plot and to secure themselves from Justice, He with the rest had caused Oathes of Secresie to be administred to the Confederates and the Priests to give them absolutions for their encouragement aforesaid to conceal the Conspiracy.*

VII.

*That he with the rest had contriv'd to lay the Imputation of their crimes upon the Protestants aforesaid.*

*To this his Lordships Plea was, That he was not Guilty, and for his Tryal*

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*Tryal put himself upon his Peers.*

In the opening of this Impeachment Mr Serjeant *Maynard* beginning, told the Lords that the Charge was General and Particular; General, the Subversion of the Nation, Murther of the King, and suppression of the Protestant Religion, which General was charg'd in Particular upon the Prisoner, in regard that in a general design as this was, wherein so many were concern'd, the Act of One is the Act of All, and the Act of All is the Act of every One.

But his part being only to open the General Conspiracy, he made out the Universal Hatred of the Papists against the Protestants, by their continual Practicies of Murthers, Massacres and Treasons, in *Spain, France, England* and other parts of *Europe*, and their Doctrine of the Legality of deposing, and Killing Heretick Kings.

Then bringing his Arguments home he called to mind the Murther of Sir *Edmund-Bury Godfrey*.

The Tampering with *Bedlow* to corrupt and lessen his Testimony, and,

Their



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Their Charging *Oates* with Infamous Crimes by falshood and Subornation, to invalidate his Testimony.

The particular Evidence was open'd by Sir *Francis Winington*. Shewing first,

The extraordinary advantages the Papists had to enter upon the Conspiracy. The creeping of Papists at the bottom, and others that drove on their Interest into his Majesties Councils.

The easiness of some Men to favour the Papists: new projects set on foot for a Reconciliation between the two Religions, by distinguishing the Church from the Court of *Rome*, Papists of Loyal and disloyal Principles. Which gave them great Encouragement to see how freely the Pen was drawn in their favour.

The Kings Commands of putting the Laws in Execution frustrated by the Publick Ministers of their faction; and the severity of those Laws turned upon the Protestant dissenters.

Lastly their great hopes of a Popish Successor.

As for the proof of the Plot in general,

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neral, he Cited the Attainders of *Coleman* and *Langhorn*, and several *Priests* and *Jesuites*; The Attainders of *Sir Edmund-Bury Godfrey's* Murther; and the Conviction of the Assassinator of *Mr. Arnold*. And in short the Convictions not only of Treasons, and Murthers, but of almost all other Villanies whatsoever.

To this he added, that proof would be made of the discourses of the Preists and Jesuits abroad, of the great alteration that would be in *England* ere long. And that the King was a Heretick and might be destroyed, which Doctrine was dispersed by the industry of several in *England*.

As to particulars against the Prisoner, he urg'd that proof would be made of his being at a Consult at the Lord *Aston's* House at *Tyxal* for the Killing the King.

That he offered 500*l.* out of his own purse for carrying on the Plot, and particularly that part of Killing the King.

That the Prisoner himself had tempted one of the Witnesses to Kill the King, with several other Circumstances

stances tending to that and the General design.

Then Mr. *Treby* proceeded to call the witnesses to shew the Universal Conspiracy.

The first was Mr. *Smith*, whose Education had given him great Opportunities of knowing the inside of the Papists Affairs.

He testified, "That upon his first arrival in *France* he came acquainted with *Abbot-Montague*, *Gascoyn*, and several other Priests and Jesuites who promis'd him preferment both among them and in *England*, if he would turn Catholick, for that they did not doubt but that the Popish Religion would come into *England* very soon, as not questioning a Toleration first, by which they should bring it in without Noise: And *Secondly*, because their party was very Strong in *England*, and in a few years would be able to bring it in right or wrong. That *Cardinal Grimaldi*, whom he met by Accident in *Provence*, told him, he had great Assurances the Popish Religion would prevail in *England*; and that there was but one that

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“that obstructed it, who though a good  
 “natur’d Person, yet they could not so far  
 “prevaile upon him, but that they must  
 “be forc’d to take him out of the way.

“That in *Rome* he saw *Colemans*  
 “Letters and read them once a Month,  
 “wherein he gave Intelligence of several  
 “Passages, that happened in the  
 “Court; how that the Duke, the  
 “Queen, and the cheif of the Nobility  
 “were of their side: How they carried  
 “Matters, what waies the Lord  
 “*Clifford* and Sir *William Godolphin* used  
 “to effect the work; and that they  
 “did not Question but to get the Lord  
 “Treasurer *Danby* on their side.  
 “That coming into *England*, he found  
 “the Popish Clergy of *England* of the  
 “same Opinion, that they did not doubt  
 “the Romish Religion would soon  
 “come in.

“That he knew nothing as to  
 “the Lord *Stafford*, but only that  
 “one *Smith* wrote a Letter up to  
 “the Lord *Stafford* out of the North,  
 “near where he lived, to complain  
 “of two or three Justices of the  
 “Peace that were active against Popery.  
 “Upon which Sir *Henry Calverley*

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"ley was turned out of Commission.

"That upon the first Glimpses of the  
"discovery, the aforesaid *Smith*, wri-  
"ting to the Prisoner whether he in-  
"tended to make over his Estate or  
"no?

The Prisoners Answer was, "That  
"several did, but he would not, in re-  
"gard he expected a sudden alteration  
"of the Government and Religion.

Mr *Dugdale* being called next upon  
the General Plot, gave an accompt,  
"That he had been acquainted with  
"a design for bringing in the Popish  
"Religion about Fifteen years.

"That he had been several times  
"informed by *Ewers*, his Ghostly Fa-  
"ther, that several Lords in several  
"Parts of *England* were to carry it on,  
"that is, that they were to have Mo-  
"ney and Arms ready for those that  
"wanted upon the death of the King.

"That he had seen several Letters  
"from *Paris*, *Rome* and *St. Omers*, en-  
"couraging Mr. *Ewers* to goe on and  
"encourage the rest that were engaged.

"That he heard nothing till lately  
"about Killing the King; That there  
"came a Letter from the Prisoner to

*Ewers*

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“*Ewers*, to shew that things went on  
“all well beyond Sea, and hoped  
“they did so here.

“That of late he had been with  
“several Priests and Gentlemen in the  
“Countrey, when they have had Con-  
“sultations for introducing their own  
“Religion and taking away the Kings  
“Life, which was alwaies intended  
“to be effected either in *November*,  
“*December*, or *January*, 1678.

“That he received 500*l.* at one  
“time, which he gave to *Mr. Ewers*,  
“who return’d it to *London* to carry  
“on the design.

“That it was agreed that the Lord  
“*Aston*, *Sir James Symons* and others  
“should go in *October* 1678. to dis-  
“pose of a certain Quantity of Arms  
“which they had received somewhere  
“to the value of 30000*l.*

“That he was by, when he heard  
“it discours’d, that the King of *France*  
“was acquainted with the design,  
“and that he had promis’d to furnish  
“the *Papists* with Men, and that he  
“would not be wanting with other  
Assistances.

That

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“ That he opened a Letter sent to Mr.  
“ *Ewers*, dated the day of *Sir Edmund-*  
“ *Bury Godfrey's* Murder, containing  
“ this Expression, *This night Sir Ed-*  
“ *mund-Bury Godfrey is dispatched.*

“ That *Sir James Symonds*, the Lord  
“ *Aston*, *Mr. Draycot*, *Mr. Howard* and  
“ *Mr. Gerard*, did to his knowledge  
“ contribute toward the carrying on of  
“ the charge for raising Arms and  
“ paying for them; and saw Letters  
“ from beyond Seas, that all things  
“ were ready as to the Arms and  
“ that there wanted only Orders how  
“ they should be dispos'd.

“ That *Mr. Gaven* declared in the  
“ private *Chappel* at *Boscobel*, that who-  
“ soever was active for introducing  
“ the Romish Religion or killing the  
“ King, should have a free Pardon of  
“ all his sins.

“ That he had heard that when  
“ the King should be kill'd, several  
“ should be provided with Arms, and  
“ rise of a suddain upon the Protestants  
“ and cut their Throats.

G

That

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“ That he had heard of Mr. *Oates*  
“ and *Bedlow*, before the Plot was de-  
“ tected, that they were Messengers  
“ entrusted, but no otherwise.

“ That he saw a Letter from *White-*  
“ bread to *Oates*, cautioning him whom  
“ he entrusted in the design not mat-  
“ tering who they were, so they were  
“ stout and trusty.

“ That he heard the Pope had pro-  
“ mised to assist the *Irish* with Men  
“ and Money, and that there should  
“ be nothing wanting on his part.

Mr. *Prance* being next called, de-  
clared, “ That one *Singleton* a Priest,  
“ in the year 1678. told him at one  
“ *Hall's* a Cook in *Ivy-Lane*, that he  
“ did not fear but in a little time to  
“ be a Priest in a Parish-Church, and  
“ that he would make no more to  
“ stab forty Parliament Men, than to  
“ eat his Dinner.

Dr. *Oates* being called, declared,  
“ That in the year 1676. he was ad-  
“ vised by one *Kemish*, and one *Single-*  
ton



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"*ton*, both Priests, to hasten betimes  
"home to the Church of *Rome*, for  
"that the Protestant Religion was upon  
"its last Legs.

"That being sent by the Jesuites to  
"*Valladolid*, he opened certain Let-  
"ters which the Jesuites in *England*  
"had given him to deliver to their  
"Cor-respondents; which Letters did  
"express what hopes they had to ef-  
"fect their design in *England* for car-  
"rying on the Catholick cause, and  
"for advancing the Interest of the  
"Pope of *Rome*.

"That Coming into *England* with  
"Letters to *Strange* Provincial of the  
"Jesuites, he found *Keines* lying ill  
"upon *Strange's* Bed, at what time  
"*Keines* said he was sorry that honest  
"*William* (meaning *Grove* that was  
"hang'd) had miscarried. All this in  
"the year 1677. But generally that  
"they had been brooding over their  
"design long before the Fire.

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"In 1678. He observed by several  
"Letters that they were as busie in  
"Ireland as in *England*, and that the  
"Talbots and others were very busie  
"in raising Forces, and were resolved  
"to let in the *French* King, if the  
"Parliament should urge the King to  
"break with *France*. And that *Morgan*  
"was sent into *Ireland* as a Visitor,  
"to take an accompt of the readines  
"of the *Irish*.

"That in *March*, intelligence came  
"to the Jesuites of an Attempt that  
"had been made upon the King, but  
"that he had escaped, through the  
"negligence of *Pickering* in fixing the  
"Flint of his Fire-lock.

"Mr. *Dennis*, an *Irish* man being  
"then sworn, confirm'd Dr. *Oats's* being  
"in *Spain*, and particularly at *Vallado-*  
"lid, where he knew him a Student:  
"That from thence he carried a Let-  
"ter from him to the Archbishop of  
"Tuam, who in discourse told him that  
"Oats would be a fit man for their Pur-  
"pose, saying farther, that *Plunket*,  
"the Titular Primate of *Ireland*, was  
resolved

“ resolv’d with the first convenience to  
“ go for *Ireland*, to carry over a *French*  
“ Power with him, to support the *Ro-*  
“ *man* Catholicks in *England* and *Ireland*;  
“ and that he himself would not be  
“ long out of *Ireland* to assist in that  
“ pious work.

“ That he had both heard of and seen  
“ money gathered in *Ireland*, for the  
“ support of the Plot.

“ Then Mr. *Jenison* declared, that he  
“ had heard Mr. *Ireland* and Mr. *Jenison*,  
“ both Jesuits speak of a Design on foot  
“ to gain a Toleration, by procuring a  
“ great sum of Money from their Party,  
“ and bribing the Parliament; and also  
“ of securing the D. of *Tork*’s Suc-  
“ cession.

“ That at another time he heard  
“ Mr. *Ireland* say, that the *Roman* Ca-  
“ tholick Religion was like to come in-  
“ to *England*; and that there was but  
“ one stood in the way; and that it was  
“ an easy thing to poyson the King.

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"That at another time his Brother  
"Jennison told him, that there was a  
"design in *England* so laid, that it could  
"not be easily discover'd, and that  
"the greatest Papists, and the greatest  
"Catholicks in *England* were in the de-  
"sign.

"That there was an Army to be  
"rais'd, to bring in the Catholick  
"Religion.

"And that at another time, one Mr.  
"Cuffil a Jesuite declared, that he  
"thought Mr. *Coleman* infatuated, to  
"give notice to *Harcourt, Ireland,*  
"and *Fenwick*, to burn their Papers up-  
"on the discovery of the Plot, and not  
"to burn his own.

Then the Clerk of the Lords Comit-  
tee delivered in the several Attainders  
and Judgments enter'd upon Records,  
upon the Conviction of *Coleman, Lang-  
born*, and the rest. And upon the  
motion of Mr. *Treby*, the Attainder of  
Mr. *Coleman* was openly read in Court;  
in regard there was more of special mat-  
ter in that, than in any of the rest;  
more

more especially among many other things; mentioning his proceeding, in Relation to the carrying on of the Plot, *viz.* his trayterous Correspondence with *La Chese*, the King of *France's* Confessor; and with Monsieur *Rovigni*, the French King's Envoy in *England*, for the bringing in of a Forrein Force, to carry on the design. After which the Court adjourned.

The next day being *Wednesday* the first of *Decemb.*

The Court being sat, the Witnesses were called to give in their particular Evidence against the Prisoner, of whom the first was Mr. *Dugdale*, who being sworn, declared, *That at a meeting at Tixall, either at the latter end of August, or beginning of September, in the Year 1678, where several were present; the business of that meeting was to debate and determin upon their former Resolutions both beyond Sea, and at London before, both to take away the Life of the King and Introduce the Popish Religion, wherein they came at that time to a full Conclusion;*

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and that the Prisoner, was there present, and did with the rest consent to it.

That at another time, coming from Stafford to Tixalto Mafs he made his Complaint to the Evidence, that it was a sad thing the Papists could not say their Prayers but in a hidden manner, but that ere long if things took Effect, the Romish Religion would be Established.

That at another time, the Prisoner sending for him to his Chamber, commended his fidelity; and for his taking away the life of the King offered him 500l. for his Charges and Encouragement, and that he should go to London with him and be under his care.

That the Prisoner, giving the reasons at another time of his being such an Enemy to the King was, because he had been a great sufferer for the King, but not taken notice of, but that rather Traytors and Rebels were rewarded. Which was enough were not Religion in the case, which was of a higher Nature.

That

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*That the Prisoner had told him, that in case he did kill the King, he should have a free pardon for it, the King being an Excommunicated Traytor and an Enemy to Jesus Christ.*

*That he saw a Letter under the Prisoners hand, to this Effect, That all things went well for carrying on the design, and so he hoped, they did here.*

*Dr. Oates, being sworn declared, That while he was in Spain, he met with several Letters signed Stafford, wherein he assured the Jesuites that were of the Irish Nation, how Zealous he would be in promoting the Catholick design.*

*In other Letters, the Prisoner blamed Coleman's opennefs, and for Communicating great Secrets to Men, of whose fidelity his Lordship was not secure.*

*That in the Month of June 1678. The Prisoner came to Mr. Fenwick's Chamber, and there received a Commission from him to pay an Army, or as  
near*

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near as the Dr. could remember, to be paymaster General of the Army, assuring Fenwick that he was going into Staffordshire and did not question but to give a good accompt how affairs stood, not doubting but at his return, Grove should do the business.

Mr. Turbervile, upon his oath, declared, That being Cast off by his Relations for refusing to enter into Popish Orders, he was put to skift for himself, to which purpose he went beyond Sea, to seek for imployment. That having spent some time at Paris without success, and being upon his Return into England, he was recommended to the Prisoner then at Paris, who beeng informed of his Condition, after he had been with his Lordship some time, told him there was a way whereby he might not only retrieve his Reputation with his Relations, but make himself a happy Man, and at length after many Obligations to secrecy, told him the King was a Heretick and a Rebel against God Almighty, and that it was to take away his life.

To



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To this the Prisoner made, first a general reply, *That he looked upon the House of Commons as the great Representative Body of the Commons of England; and to be accused by them, was such a load, which so afflicted him, that he was scarce able to bear up under it. Which with other things had so disorder'd his sence and reason, that he scarce knew how to chear himself to their Lordships, as he ought to do; and therefore with all Humility begged their Lordships pardon, if he said that which might give offence, or urged any thing that might not be to the purpose.*

*That he looked upon Treason to be the Greatest sin in the world.*

*That as to the Doctrine of King-killing and absolving persons from their Allegiance, he could not say, the Church of Rome did hold it, he never heard so, it may be it did, it may be not. But that there was an English College of Priests at Rhemes, that in their Annotations upon the Fourteenth Chapter of the Epistle to the Romans declared their dislike and detestation of this Opinion;*  
and

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and that the Doctors of the College at Sorbonne, owned it to be a damnable Principle. And that for his own part he did in the presence of Almighty God, solemnly declare, that he detested any such Opinion, as he did Damnation to himself.

That the Mannagers began their Charge with telling their Lordships that there was a horrid design to Murder the King, &c. wherein the Roman Catholics, and all the Church of Rome were concerned; but how did that concern him? for that they had not offered one Proof, that he was of that Religion.

That he was accused of having endeavour'd to kill the King: But that all accusations of Treason ought to be accompanied with circumstances, Antecedent, Concomitant and Subsequent. And the whole Compass of his life, had been otherwise. That in the beginning his late Majesty had made him a Peer. That in the beginning of the war, he retired into Flanders; whence afterwards he came into England and served his Majesty Loyally and faithfully; and that he waited

*waited upon the present King in his Exile.*

*That after he heard of the discovery of the Plot, had he known himself Guilty, he had a fair opportunity to have run away. That he was offered the Kings' Pardon if he would confess his fault: If then after notice he came to Town, suffered himself to be taken, refused his Pardon, and yet had been guilty, he ought to die for his folly as well as his Crime.*

*Descending to particulars, he desired, that the depositions of Dr. Oates, upon which he was committed by the Lord Chief Justice, the depositions of Mr. Dugdale taken in the Country by Mr. Lane and Mr. Vernon, and that of Mr. Turbervil's taken before Sir William Poltney, and Mr. Warcup might be produced, that he might be able to confront what they had then sworn in Court.*

*To which the Mannagers for the Commons replied, That if his Lordship could tell wherein the Witnesses had contradicted themselves, he might produce*

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*produce the Depositions. That what was sworn was entred in the Lords Journal two years before, whither any Man might repair, but after two years time and three weekes given him to prepare for his Tryal, to desire the producing of Depositions, which he might have done before, was only to gain time for the Viva voce Evidence to be forgotten, and therefore humbly prayed it might not be admitted. For that for a Prisoner to call for Depositions at the Bar from the Prosecutors, was a very strange and unreasonable demand.*

*Nevertheless the Prisoner still urged the producing of the aforementioned Affidavit, affirming, Mr. Turberville had sworn false in point of Time; as having sworn one Time in his Deposition, another in his Testimony at the Bar.*

*The Prisoner was asked, whether there were any other variation than that of the Time, in Mr. Turberville's Deposition; But his Lordship could alledge no other that he knew of.*

*There-*

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Thereupon the Lord High Steward demanded of the Mannagers, *why the Prisoner might not have the avail of his Exception.*

To which the Mannagers replied, *That they were not conscious of any Variation, and that they were confident that if the thing were produced it would make against the Prisoner, for that the Variation to which the Prisoner excepted, had been corrected in time by the Evidence himself; however that they could not do it of themselves without the leave of the House.*

Thereupon the Lords withdrew to consider, and upon their return, the Lord High Steward told the Prisoner, *That their Lordships found an Order enter'd, for his Lordship to have Copies of every thing that concerned him in that House; and that if he had not taken out Copies 'twas his fault. And that as for his demand of Turberville's affidavit, their Lordships did not find any Obligation at all upon them( as a Court, to concern themselves in that Matter.*

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To this the Prisoner submitted; however he desired, *That the Journal and other Papers might be brought into Court, together with the two Affidavits of Dugdale taken by Mr. Lane and Mr. Vernon.*

To which the Lord High Steward made answer, *that those demands were under the same Rule; that what Evidence was before the Court of Peers he should have, but as for the Evidence not in Court he ought to have come provided with it.*

This dispute being over, the Prisoner desired longer time, and fain would have had the Court have adjourned till the morrow after the next day.

But this also the Mannagers of the Tryal oppos'd, urging, *what an advantage it would be to the Prisoner to chuse his own time to answer their Evidence; instancing the endeavours that had been used to suborn and destroy Witnesses.*

Thereupon the Lords adjourned to their own House and after a short Stay sent word to the Commons, *that they had ordered the Prisoner to be brought again to the Bar the next day by ten of the Clock.*

The

*The Third and Fourth Day*

Was wholly taken up by the Prisoner in making his Defence.

And first, he pleaded the Statute of the 13<sup>th</sup>. of this present King, by which no man is to be prosecuted but within so many Months.

But to that he received a short Answer, that he was not impeach'd upon that Statute, but upon the Common Law, and the Statute of the 25<sup>th</sup>. of Ed. 3. which was only declarative of the Common Law ; besides, that though the Statute of the 13<sup>th</sup>. of this King, limited the Prosecution of some Offences to be within six Months, yet the Prosecution for Treason might be at any time.

After that, he fell to impeach the Credit of the Witnesses, thereby to render invalid the Testimony that had been given against him.

His first Exceptions were against Mr. Dugdale, for that his Lordship was not at *Tixal*, as the Witnesses had sworn, neither at the latter end of *August*, nor at the beginning of *September* till the  
H 12<sup>th</sup>.

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12th. To this purpose, his Daughter, the Marchioness of *Winchester*; and one Mrs. *Howard* affirm'd, the first, at the Tryal of Sir *George Wakeman*, Mr. *Dugdale* should say, That he was to receive Orders from his Lordship in *June* or *July*, and that his Lordship was at a Consult at *Tixall* in *August*.

Mrs. *Howard* affirm'd, that at the same Tryal, being asked to be positive in the Month of my Lord *Stafford's* coming down, he said, that his Lordship came down in *June* or *July*; but that the Consult was in *August*, where the Prisoner was present.

To which it was answered, that the Ladies did not agree in their Testimonies; one affirming, that the Witness swore he was to come down, and the other, that he did come down; and therefore, considering their Relations to the Prisoner, their Testimony was to be look'd upon as partial.

His Second Objection was, that when his Lordship was at *Tixhall*, he never sent for the Witness into his Chamber; but that the Prisoner's Servant, upon his own Request, brought him; and that there was no opportunity for private Dis-



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Discourse, because his men were in the Room all the while.

For this, the Prisoner brought two of his Pages, *Furnese* and *Leigh*, who attested, that they were with his Lordship all the while that *Dugdale* was in the Chamber; that he did not remember that ever *Dugdale* was there but once; and that he does not remember, that ever his Lordship bid him go out of the Room.

To which it was answered, That it was a hard Matter for men to come thus in the Negative, to remember how often *Dugdale* had been in my Lord's Chamber; and that it was a hard matter for a Servant to gain Credit, by saying, his Master never bid him go out of the Room in his Life: Things that might be done, and yet escape the Memory of a Servant of more Age, and less Inclination to serve their Masters. To which might be added, that the two Young Men were Servants to the Prisoner, and of the same Religion; there being also no small reason to believe, that more than ordinary practice had been used to prepare Evidence on the Prisoner's behalf: Besides, it was

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observ'd, that *Leigh's* Memory was something imperfect, not remembring that *Dugdale* was with his Lordship all that day, which his Lordship acknowledged, and the other Witnesses agreed.

It was also remarkable, that *Furnese* was asked by the Lord High Steward, whether he ever saw *Dugdale* alone in his Life? He answered, *Never in his Life.* To which the Lord High Steward replied, Why, you saw them together that Morning you brought them to the Chamber.

But to shew, that it was not such an unusual thing for *Dugdale* and the Prisoner to be alone, two Witnesses were brought for the King, *Hanson* and *Anscl*, who swore, that they had seen them more than once alone in private Discourse together.

The next thing the Prisoner endeavoured to prove, was, that Mr. *Dugdale* ran away from the Lord *Aston's* for Debt; to which purpose, he call'd *Thomas Sawyer*, who attested the same; and that he heard him say, he would be reveng'd of the Lord *Aston*, if ever it lay in his Power: And farther, that he  
took

took a Glas of Drink, in his presence, and wish'd it might be his Damnation and Poyson, if he knew any thing of the Plot.

To the first Objection, it was sworn, that the Discourse of the Country, was, that he went away for fear of the Plot; and three Justices of the Peace affirm'd, that he was apprehended upon Suspition of being in the Plot; who therefore tender'd him the Oaths of Allegiance and Supremacy, which he took. Others swore, that Mr. *Dugdale* endeavour'd to come to an Accompt with the Lord *Aston* while he was in the Tower; but that the Lord *Aston* refus'd to speak with him; and that one time, Mr. *Dugdale* going to the Tower upon the same occasion, one of the Lord *Aston's* Servants came where he was, and paying him a great deal of Respect, said, he was as honest a Gentleman as ever liv'd in a Family.

Other Witnesses swore, that being Steward to the Lord *Aston*, there was no other person between his Lordship and him; but that he was next to my Lord, and governed the rest of the Family.

H 3

That

That he had always had a good Report, not only with the Lord *Aston's* Tenants, but also with the Work-men, and those people that had Dependence upon the Family.

As for Mr. *Dugdale's* Denial of his knowledge of the Plot, it was urged, that that proceeded only from the Apprehension of the danger he was in; especially before he had taken a Resolution to discover.

The next Objection was, that he swore falsely, when he said, he told of the Letter about the Death of Sir *Edmondbury Godfrey*, before it was known he was kill'd; which was attested to the contrary by the persons, who were sworn to be the persons acquainted with the said Letter.

But this was refuted by two Witnesses, that swore, the said persons were by, when the News was told; in Confirmation of which, two Gentlemen of Quality swore, that the Report of such a thing was spread all over the Country, before it was possible for it to come by the ordinary way of Intelligence. Besides, that one of the Prisoner's Evidence was an Ancient deaf Man; and  
so

so no wonder he should attest that he never heard of any such thing.

The next Objection was, That he had corrupted persons to swear false against him and others, *Robinson, Murrel* and *Holt*.

As for *Robinson*, he was prov'd, by no less Persons than the Earl of *Macclesfield*, and one Mr. *Booth*, a Member of Parliament, to be a meer Scoundrel and Cheat, and one that confess'd himself to be a Rogue.

As for *Holt*, he was known to be a Vicious, Lewd Fellow; and one that had threatned to murder the King's Evidence, for coming in against the Lord *Aston*.

As for *Murrel*, who attested, that Money had been offer'd him by Mr. *Dugdale*, to swear against Sir *James Simmons*, and Mr. *Howard*; he was prov'd to be a poor needy Fellow that went vagabonding about the Country.

But besides all this, in opposition to these Witnesses on the Prisoner's side, in this particular, other Witnesses were brought, who swore, that there had been Endeavours to have suborned them to swear against Mr. *Dugdale*;

of which one of them was profer'd 700*l.* to take off his Evidence, or destroy him; which was done by one *Plessington*, Steward to the Lord *Bellasis*: And that at another time they found a Letter, for him to subscribe for the blasting of Mr. *Dugdale's* Reputation.

His Objection to take off the Credit of Dr. *Oates*, was this, That he said, he knew nothing of any other Persons engaged in the Plot; and yet after that, he accus'd the Queen.

But Sir *Phillip Floyd* being call'd upon by my Lord, to attest this Passage, could remember nothing of it.

The Lord Privy Seal was also desir'd to declare his Knowledge in this Matter; but he remember'd nothing of it neither.

Neither did the Earl of *Berkley* remember any such thing said by the Doctor in the Council; but in the Lords House, he remember'd, that the Doctor being ask'd the Question, said, he had no more to accuse in relation to *England*, but that in *Ireland* he had. To which it was answered, that this was said after the Doctor had accus'd the Prisoner at the Bar, and so could not concern him, As

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As to the Accusation of the Queen, it was not positive, nor of his certain Knowledge, but only Circumstantial Proof : And secondly, it might not be then so clear at that time to the Doctor, whether the Queen were a person capable of an Accusation ; and then again, that the Answer of a Man to a suddain Question, who had said so much, and had so many things in his Mind, should be taken so strictly ; and that he should be held for perjur'd, because that he did not at that instant remember that particular of the Queen, was a very severe Construction.

His next Objection against the Doctor, was, that he went to be of the Popish Religion, and so was of that Religion which was Idolatry ; and being a Turn-coat from his Religion, was not to be credited.

To which it was answered, that there had been Men of Great Fame in the Church of *England*, and of great Learning too, that had changed their Religion more than once.

His Objections against Mr. *Turbervill*, were, that he had sworn, in his Affidavit, 73 and 76, for 72 and 75.

But

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But it was prov'd by Sir *William Poultney*, that he came the next Morning, before any body in the World had questioned him upon it, and rectified the Mistake upon his own accord.

The next Objection was, That Mr. *Turbervill* was a Coward, and ran away from his Colors.

But to that, Mr. *Turbervill* produc'd, in Court, an Honourable and Authentick Discharge from his Commander, under Hand and Seal, which was view'd by the Duke of *Monmouth*, and others of the Lords, without Contradiction.

Next, he brought *Furnese* and *Leigh* again, to attest, that they never saw *Turbervill* with the Prisoner, at *Paris*; which was a Negative prov'd by his own Servants.

In Answer to which, it was observ'd, That *Turberville* was introduc'd by greater Confidants than they were; and that it might be easie for Mr. *Turbervill* to come in the Company of such Persons, and the Boys not take notice of him.

Another Objection was this, That *Turbervill* had sworn, he was not well  
us'd



us'd by the Lord *Powis* and his Lady, when he was well us'd. To attest which, he brought one to attest, that he was permitted to lie in a Room near the Lord *Powis's* Chamber. To which it was reply'd, that that Testimony might not hear what unkind Words might pass between them; or how he was thwarted in his Expectations from the Earl. And as to the Kindness of Mr. *Turbervill's* Relations, all that the Prisoner could prove, was, that his Brother and Sister had given him Seven Pounds never to see him more.

The next Objection was, That *Turbervill* had sworn, that the Earl of *Castlemain* was at *Powis-Castle* such a time, which must be in the Years 72, 73, or 74; which he endeavoured to prove by the Attestation of one *Lydcot*, once a Servant to the Earl of *Castlemain*, and with him all those Years: But he was observed to be so out in his Calculation, so mistaken in the Year, and such an exact Follower of the *Romish* New Stile, that Notice was taken of it by the Court.

On the other Side, it was sworn by Mr. *Arnold*, That he had not heard a better

better Character of any Man, from all sorts of People, in his Life.

By Mr. *Hobby*, That he had never known or heard, but that he had behav'd himself like a Worthy, Honest Gentleman.

By one Mr. *Matthews*, a Divine, that he never knew him guilty of an Evil Action; but that he was a person of a fair Reputation.

By one Mr. *Seys*, That he never knew, in his Life any person, that could asperse him.

The same also, or to the same Effect, was sworn by Captain *Scudamore*.

It was farther objected, That Mr. *Turberwill* was a Stranger to the Prisoner, and that the Design of the King's Death, was too great a Secret for a Stranger to be acquainted with.

To which it was answered, That the Quality of the Persons that introduced him to his Lordship, was to be considered.

They were Priests, and therefore it was no wonder, that when they brought him to his Lordship for such a purpose, that they should prevail with his Lordship to give him Credit; and to deal  
with

with a person so likely in his Circumstances to make such an Attempt.

But the main Objection was, That Mr. *Turbervill* had sworn, that his Lordship returned into *England* by the way of *Calice*, with Count *Grammont*; neither of which was true.

To which it was answered, That Mr. *Turbervill* swore, only according to Information, and by a Lettet which signified to him, that his Lordship would return by the way of *Calice*; and he knew nothing of the Change of his Lordships Resolution. That it appeared upon Oath, that Mr. *Turbervill* staid at *Diep*, in expectation of his Lordships coming; but being inform'd, that he went another way, took the first Opportunity of a Passage; without which Information, there was no Reason for him to have invented such a thing; or to have advised his Companion to make haste to *Calice*, to take the Advantage of my Lord's Convenience; a thing which he did out of Friendship.

The Evidence on both sides, being thus clos'd, as it was thought, the Court adjourn'd, and the Lords being return'd  
to

to their House, gave notice to the Commons, that they had order'd the Prisoner to be sent for again the next day by ten of the Clock.

*The First Day, being Saturday Dec. 4.*

The Prisoner being brought to the Bar, made a new Request, that he might call some Witnesses that he had forgot the day before, to impeach the Evidence that had sworn against the Credit of his Witnesses, and farther, to impeach those that had sworn against himself; which though it were at first oppos'd, as a thing not customary, was at length condescended to by the Managers, to spare the Lords the trouble of withdrawing.

The first was the Lord *Ferrers*, as to the Reputation of Mr. *Southal*, one of Mr. *Dugdale's* Witnesses, who attested, that all he could say, was by Hear-say: That he had the Reputation of being active in the late Times against the King, and was counted a pernicious Man against the Government. In answer to which, the Lord *Brook* being desired to speak what he knew of the said Mr. *Southal*, gave him the Character

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Character of an honest, an able, and a good Church-man; and Mr. *Levenson Gower*, called to the same purpose, gave him the Character of a Zealous Prosecutor of the Papists; and one of whom they that were principled by the Preservation of the King and the Protestant Religion spoke well.

The next was one *Dale*, to whom the Prisoner put the Question, what he knew about *Dugdale's* offering him Money, and whether *Dugdale* never persuaded him to swear against my Lord *Aston* something he knew not?

To which he answered positively in the Negative.

After this, the Prisoner having summed up all his Objections before recited, against the King's Evidence, insisted upon several Points of Law.

First, That there was no President, that Proceedings Criminal did ever continue from Parliament to Parliament, this having continued three.

Secondly, Whether a Man, in Capital Cases, was not to be proceeded against by Indictment, first found by a Grand Jury, and not by Impeachment either of a single Person or Body of Men.

Thirdly,

Thirdly, He conceiv'd there was no Overt Act alledged in the Impeachment.

Fourthly, He desired to prove they were not Competent Witnesses that swore against him; for they swore for Money.

Fifthly, Whether a Man could be condemned for Treason by one Witness, there not being two Witnesses to any one Point.

As to the First, it was answered, that it could be no doubt, in regard their Lordships had resolved, and sent it down to the Commons; and that it was entered in their Books as the Law and Constitution of Parliaments; that not only Impeachments, but all Judicial Proceedings, continue from Parliament to Parliament; that it was now the Law of their House, and consequently, the Law of the Kingdom. And therefore they having declared it, and sent it down to the Commons, they had good reason to proceed upon the present Impeachment.

To the Second, That an Impeachment of the House of Commons, which is the Grand Inquest of the Nation, was  
more

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more than an Indictment, and more effectual to bring an Offender to Justice.

To the Third, That there were Overt Acts enough in Proof, and sufficient in the Impeachment; as the receiving a Commission to be Pay-Master of an Army; the offering Money to a person to hire him to kill the King, and consulting with several persons met together about killing the King, and changing the Government of the Nation: All which were laid in the Impeachment, as fully as made out in Proof.

To the Fourth, His Lordship insisted very much, that his Council might argue it, whether there were a necessity of two Witnesses to every Overt Act, alleadg'd as Evidence of High Treason? But the Council for the Prisoner, waving the Argument, as a thing impossible, to apply themselves to the Study of a Case unforeseen; the Lords returned to their House to consider upon it.

In an hours time they return'd, and the Judges, according to Directions, deliver'd their Opinions in order, That if

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there

there were several Overt Acts, which were Evidences of the same Treason, if there were one Witness to prove one Overt Act, at one time, and another Witness, to prove another Overt Act at another time, both the Acts being Evidences of the same Treason, they were two sufficient Witnesses of the same Treason, and would maintain an Indictment, or an Impeachment of Treason.

To the First, it was answered, That as to the hiring of the Witnesses to swear, it could be no point of Law, till the Fact be prov'd; that His Majesties Grace and Bounty to his Witnesses, was no Objection to their Testimony, when every private person allows his Witnesses a Maintenance, without prejudice to his Cause. Neither would he tax the *House of Commons*, who were the Prosecutors, as his Lordship had prov'd, to their Advantage against himself.

After this, the House adjourn'd, and appointed the Prisoner to be brought up again on *Monday*, by Ten of the Clock.

*The*



*The Sixth Day, being Monday,  
December 6.*

The Prisoner being again brought to to the Bar, a Petition was read, which he had presented to the House of Peers.

*That whereas he had something to offer to their Lordships, to clear himself; he therefore besought their Lordships, that he might offer some Things to their Lordships Consideration.*

When he came to be heard, they were only the same Objections, somewhat varied, which he offer'd the day before, *viz.* Whether an Impeachment were to be prosecuted in Parliament without an Indictment? Whether words did amount to an Overt Act; and whether two Witnesses, in several places, did amount to a Legal Testimony?

Upon which, being ask'd by the High Steward, whether he had any thing more to say? He went on again with new Repetitions, That he had not been prov'd a Papist; that he hop'd he had clear'd his Innocency, by making appear the Perjury of the Witnesses.

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Then, as if he had intended to make a kind of a Discovery, he told a long Story, That he believ'd, that ever since the Reformation, the Papists had had several wicked Plots and Designs, as *Babington's*, and the *Earl of Westmerland's* Plot, in the Reign of *Queen Elizabeth*; the *Lord Grey's*, *Lord Cobham's*, and *Lord Brooks's*, in the Reign of *King James*.

That he did believe, that *Coleman's* endeavouring, by Money out of *France*, to keep off Parliaments, was that which he could not justifie by Law; and he did believe by the same Letters, that some Consultations had been had, for a Toleration; and that if he had known as much then, as he did since, he might have prevented many things.

Then he fell again to his points of Law, and a third Repetition of his former Objections against the Witnesses; and at last, concluded with an Application to the Lords, courting their Consideration of his Innocence, and giving them to understand the great Confidence he had of their Justice and Impartiality.

Being

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Being ask'd again, whether he had done? He would fain have prevail'd again, for his Council to have been heard upon the points of Law before-mentioned; But the Managers of the Tryal replied, That there was nothing that deserv'd an Answer; that there had been nothing offer'd new, but what had been over-rul'd already, unless it were a point of Law that arose upon matter of Fact not prov'd. That the last day, all had been said by his Lordship that he had to say; and therefore to begin the matter again, was a thing not to be admitted. After which the Court adjourn'd.

*The Seventh Day, being Tuesday,  
December 7.*

The Lords took their Places in Court, at what time, the Lord High Steward, attended by Garter, Principal King at Arms; the Usher of the Black Rod, collected the Verdicts of the Lords, beginning with the Youngest Baron; the Prisoner being absent.

*The Names of the Lords that found  
the Prisoner Guilty.*

**L**ord Crew  
 Lord Cornwallis  
 Lord Rockingham  
 Lord Astley  
 Lord Leigh  
 Lord Herbert of Cherbury  
 Lord Howard of Esrick  
 Lord Maynard  
 Lord Lovelace  
 Lord Grey of Wark  
 Lord Brook  
 Lord Chandos  
 Lord North and Grey  
 Lord Paget  
 Lord Wharton  
 Lord Eure  
 Lord Cromwell  
 Lord Conyers  
 Lord Viscount Newport  
 Lord Viscount Falconberge  
 Earl of Conway  
 Earl of Macclesfield  
 Earl of Sussex  
 Earl of Guilford  
 Earl of Shafisbury

Earl

Earl of Burlington  
Earl of Carlisle  
Earl of Essex  
Earl of Scarsdale  
Earl of Sunderland  
Earl of Winchelsea  
Earl of Stamford  
Earl Rivers  
Earl of Mulgrave  
Earl of Barkshire  
Earl of Manchester  
Earl of Westmerland  
Earl of Clare  
Earl of Bristol  
Earl of Northampton  
Earl of Leicester  
Earl of Bridgewater  
Earl of Salisbury  
Earl of Suffolk  
Earl of Bedford  
Earl of Huntington  
Earl of Kent  
Earl of Oxford  
Duke of Monmouth  
Duke of Albemarle  
Duke of Buckingham  
Lord Privy Seal  
Lord President  
Lord High Steward  
Duke of Cumberland

The

*The Names of the Lords that found  
the Prisoner Not Guilty.*

**L**ord Butler of Weston  
 , Lord Arundel of Trerice  
 Lord Hollis  
 Lord Wootton  
 Lord Lucas  
 Lord Ward  
 Lord Byren  
 Lord Hatton  
 Lord Drin-court  
 Lord Norreys  
 Lord Windfore  
 Lord Ferrers  
 Lord Morley  
 Lord Mowbray  
 Earl of Berkley  
 Earl of Hallifax  
 Earl of Feversham  
 Earl of Alistury  
 Earl of Craven  
 Earl of Bath  
 Earl of Clarendon  
 Earl of St. Albans  
 Earl of Thanet  
 Earl of Chesterfield  
 Earl of Carnarvan

Earl

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Earl of *Peterborough*

Earl of *Denbigh*

Earl of *Rutland*

Lord *Chamberlain*

Marquess of *Worcester*

Duke of *Newcastle*

Being thus found Guilty, by the Surplusage of twenty four Voices, the Prisoner was brought to the Bar, and ask'd what he had more to say for himself, why Sentence of Death should not be pronounced against him, according to the Law?

To which he made Answer, for respite of Judgment ; That he never saw any Tryal, where the Party try'd did not hold up his Hand ; which he never was ask'd to do.

2. That though he had been try'd by the Act of 25 *Ed. 3.* yet there being nothing more in that Act, than what was included in the Act of the 13<sup>th</sup>. of this King, he humbly conceiv'd, that by that Act, and the last Proviso in it, a Peer that is found Guilty of the Crimes therein mentioned, was only to lose his Seat in Parliament ; and that was to be all his punishment.

Which

• Which being all he had to say, the Court adjourn'd into the Lords House, at what time, the Commons, with their Speaker, went to the Bar of the Lords, and there, in the Name of the Commons of *England*, demanded Judgment against the Prisoner.

• Whereupon the Lords took it into Consideration what Judgment was to be given : Some Debate there was upon the Matter ; but at length, the Judges being demanded, gave in their Opinions, That there was no other Judgment for Treason, appointed by Law, but to be Drawn, Hang'd and Quarter'd.

The *Attorney General* also declared, That any other Judgment would be prejudicial to his Majesty, and be a Question in the Inferiour Courts, as to his Attainder of High Treason.

• Whereupon it was order'd by the Lords, that the ordinary Judgment by the Law appointed, in Cases of High Treason, should be pronounced upon the Prisoner.

Which being concluded, the Lords return'd to the Court ; and the Lord High Steward, attended by all the Offi-



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Officers before-mention'd, upon their Knees, directed his Speech to the Prisoner, to this Effect.

" That what his Lordship had said in  
" Arrest of Judgment, was found to be of  
" no Moment at all, it being no Essential  
" part of any Tryal; neither was there  
" any Record made of it when it was  
" done."

" That as for the Proviso's of the  
" 13<sup>th</sup>. Year of this King, their Lord-  
" ships found, that they were in no sort  
" applicable to his Lordships Case; the  
" proceedings against him not being  
" grounded upon that Statute.

*That no Man would have thought, that a Person of his Quality, so nobly descended, so considerable in Estate, so eminent a Sufferer in the late Times, so interested in the Preservation of the Government, so obliged to the Moderation of it; and so personally and particularly oblig'd to the King and his Royal Father, should ever have enter'd into a Conspiracy, to contrive the Murder of the King, Ruin of the State, and Subversion of Religion; and yet his Impeachment amounted to no less, and the Lords have found him Guilty.*

*That*

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That as the Plot in general had been most manifest; so his Lordships Part in it had been too plain.

Three things therefore he recommended to his Lordship's Consideration, That he was now fallen into the very Pit that he was digging for others.

That he would think a little better than he had done, what kind of Religion it was that had brought him to the Destruction that was like to befall him.

Lastly, That he would consider, that true Repentance is never too late.

That there were some that thought it a Mortal Sin, to confess that Crime in Publick, for which they had been absolv'd in Private; but that God forbid, his Lordship should be found among the number of those poor, mistaken Souls.

Then assuring him, that their Lordships would not cease to pray, that the End of his Life might be Christian and Pious. He concluded, That it was then the last time he was to call him My Lord; for that his next words would attaint him: And having so said, he pronounced the Sentence of the Court; which was, That he was to be Hang'd, Drawn and Quarter'd.

The Day for Execution, being appointed

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pointed to be the 29th. of the same Month, two Writs were issued out, under the Great Seal of England; the first to the Lieutenant of the Tower, in Form following.

**C**AROLUS *Secundus Dei Gratia,*  
*Angliæ, Scotiæ, Franciæ & Hiber-*  
*niæ Rex, Fidei Defensor &c. Locumte-*  
*nenti Turris nostræ London' salutem 3*  
*Cum Will' Vicecomes Stafford, per Com-*  
*munes Regni nostri Angliæ in Parliamen-*  
*to assemblat', de altâ proditione, necnon*  
*diversis aliis criminibus & offensis per ip-*  
*sum perpetrat' & commissis, impetit' fuit,*  
*ac superinde per Dominos Temporales in*  
*præsenti Parlamento nostro convent', tri-*  
*at', convict', & debita juris forma at-*  
*tinct' fuit, & morti adjudicat', existit:*  
*Cujus quidem Judicii Executio adhuc re-*  
*stat facienda. Cumque prædictus Vice-*  
*comes Stafford in Turri nostra Lon-*  
*don,, sub custodiâ tuâ detent' existit:*  
*Præcipimus tibi & per præsentes firmi-*  
*ter injungendo mandamus, quòd in &*  
*super vicesimum nonum diem instantis*  
*mensis Decembris, inter horas nonam, &*  
*undecimam, ante Meridiem ejusdem diei,*  
*ipsum Vicecomitem Stafford, usque locum*  
*usuales*

*usualem extra Portam Turris predictæ  
 ducas; ac ipsum Vicecomitibus Civitatis  
 nostræ London & Middlesex, adtunc &  
 ibidem deliberes: Quibus quidem Viceco-  
 mitibus, nos per aliud Breve eis inde di-  
 rect', præcepimus prædictum Vicecomitem  
 Stafford adtunc & ibidem recipere, ut fi-  
 at Executio Judicii prædicti, modo &  
 formâ prout dictis Vicecomitibus London  
 & Middlesex, per aliud Breve nostrum  
 prædictum præcepimus: Et hoc nullatenus  
 omittas, sub periculo incumbente, aliquo  
 Judicio, Lege, Ordinatione, seu Manda-  
 to præantea habit', fact', ordinat', seu dat'  
 in contrarium non obstante. Teste meipso  
 apud Westm. decimo octavo die Decem-  
 bris, Anno Regni nostri tricesimo secun-  
 do.*

**BARKER.**

*Englisbed thus:*

**C**HARLES the Second, by the  
 Grace of God, King of England,  
 Scotland, France and Ireland, Defender  
 of the Faith, &c. To the Lieutenant  
 of Our Tower of London, Greeting.  
 Whereas William Viscount Stafford has  
 been impeach'd by the Commons of our  
 Kingdom of England, in Parliament As-  
 sembled,

sembled, of High Treason, and several other Crimes and Offences by him perpetrated and committed; and thereupon by our Lords Temporal, in our present Parliament conven'd, has been tried and convicted, and in due Form of Law, was attainted, and adjudg'd to die: Of which Judgment, Execution yet remains to be done: And whereas the said Viscount *Stafford* is detain'd, in your Custody, in our *Tower of London*, We charge, and by these presents firmly enjoyning, command you, That in and upon the twenty ninth day of this Instant *December*, between the hours of Nine and Eleven, before Noon of the same Day, you conduct the said Viscount *Stafford*, to the Usual Place, without the Gate of the *Tower* aforesaid; and him then and there deliver to the Sheriffs of our City of *London* and *Middlesex*: To which Sheriffs, We, by another Writ to them directed, have given Command the aforesaid Viscount *Stafford*, then and there to receive; that Execution of the aforesaid Judgment may be done in Manner and Form, as we have given Command by our other Writ, to the said Sheriffs of *London* and *Middlesex*. And of this  
you

you are not to fail upon peril thereon to ensue: Any Judgment, Law, Ordinance, or Command before had, made, ordain'd or given to the contrary, notwithstanding. Witness Our Selves at *Westminster*, the 18th. Day of *December*, in the 32d. Year of Our Reign.

The Second Writ was directed to the Sheriffs of *London* and *Middlesex* in Form following.

**C**AROLUS *Secundus*, *Dei Gratia*, *Angliæ*, *Scotiæ*, *Franciæ* & *Hiberniæ*, *Rex*, *Fidei Defensor*, &c. *Vic' London*, & *Vic' Middlesex salutem*; Cum *Will' Vicecomes Stafford*, per *Communes Regni nostri Angliæ*, in *Parliamento assembleat'*, de altâ proditiōe, nec non diversis aliis criminibus & offensis per ipsum perpetrat' & commissis impetit' fuit; Ac superinde per *Dominos Temporales in præsentî Parlamento nostro convent' triat'*, convict', & debitâ juris formâ, attinct' fuit, & morti adjudicat' existit: Cujus quidem judicii Executio adhuc restat faciendâ: præcipimus vobis, & per præsentés firmiter injungendo mandamus, quod in & super vicesimum nonum diem hujus instantis *Decembris*, inter horas  
nonam

nonam, & undecimam, ante meridiem e-  
jusdem diei, dictum Vicecomitem Stafford,  
extra Portam Turris nostræ London vo-  
bis tunc & ibidem deliberandum, prout  
per aliud Breve Locumtenenti Turris no-  
stræ London directum, præcepimus, in  
custodiam vestram adtunc & ibidem re-  
cipiatis, & ipsum sic in custodia vestra  
existentem, statim usque usulem Locum  
super le Tower-hill ductatis: Ac Caput  
ipsius Willi. Vicecomitis Stafford, adtunc  
& ibidem amputari, ac à Corpore suo om-  
nino separari faciatis, aliquo Judicio, Le-  
ge, Ordinatione, seu Mandato preantea  
habitu, factu, ordinatu seu datu in contra-  
rium, non obstante: Et hoc (sub pericu-  
lo incumbente) nullatenus omittatis. Te-  
ste meipso apud Westm. decimo octavo die  
Decembris, Anno Regni nostri tricesimo  
secundo.

BARKER.

Englishe'd thus:

**C**HARLES the Second, by  
the Grace of God, of Eng-  
land, Scotland, France and Ireland,  
King, Defender of the Faith, &c. To  
K the

the Sheriffs of *London*, and Sheriffs of *Middlesex*, Greeting. Whereas *William* Viscount *Stafford*, has been Impeached by the *Commons* of our Kingdom of *England*, in Parliament Assembled, of High Treason, and other Crimes and Offences, by him perpetrated and committed; And thereupon, by the Lords Temporal, in our present Parliament, conven'd, was try'd, convicted, and, in due Form of Law, attainted, and is adjudg'd to die; of which Judgment, Execution yet remains to be done. We charge, and, by these Presents firmly conjoyning, command you, That in and upon the 29th. Day of this Instant *December*, between the hours of Nine and Eleven, before Noon of the same Day, that the said Viscount *Stafford*, without the Gate of our *Tower of London*; then and there to be to you deliver'd, as by another Writ, to the Lieutenant of our *Tower of London*, directed, we have given Command, you then and there receive into your Custody, and him so being in your Custody, that you presently conduct to the usual place upon *Tower-hill*, and cause the Head of him *William* Viscount *Stafford*, then and there



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there to be chop'd off, and altogether separated from his Body ; any Judgment, Law, Ordinance, or Command, before had, made, ordain'd, or given to the contrary notwithstanding. And of this, upon penalty thereof to ensue, you are not to fail. Witness our selves at *Westminster*, the 18th. day of *December*, in the 32d. year of our Reign.

Upon *Wednesday* the 29th. of *December*, about Ten of the Clock in the Morning; the Sheriffs received the Prisoner from the Lieutenant of the *Tower*, and conducted him to the Scaffold: Upon which the Prisoner being come, after a short pause, produc'd a Paper out of his Pocket, which contain'd the following Speech; which he read with his Hat off, and gave several Copies thereof, Signed with his own Hand, to Sheriff *Cornish*, and other Gentlemen about him.

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THE  
SPEECH  
OF  
WILLIAM HOWARD

Late

Lord Viscount Stafford,

*Upon the Scaffold on Tower-Hill, immediately before his Execution, Wednesday, Decemb. 29. 1680.*

**B**Y the permission of Almighty God, I am this day brought hither to suffer *Death*, as if I were guilty of *High Treason*: I do most truly, in the presence of the Eternal, Omnipotent, and All-knowing GOD, protest

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rest upon my Salvation, That I am as Innocent as it is possible for any man to be, so much as in a Thought, of the Crimes laid to my Charge.

I acknowledge it to be a particular Grace and Favour of the Holy Trinity, to have given me this long Time to prepare my self for Eternity : I have not made so good use of that Grace as I ought to have done, partly by my not having recollected my self as I might have done, and partly because, not only my Friends, but my Wife and Children, have, for several dayes, been forbid to see me, but in the presence of one of my Warders. This hath been a great Trouble and Distraction unto me : but I hope God of his Infinite Mercy will pardon my Defects, and accept of my good Intentions.

Since my long Imprisonment, I

have considered often what could be the Original Cause of my being thus acculed, since I knew my self not culpable, so much as in a Thought; and I cannot believe it to be upon any other Account, than my being of the Church of *Rome*. I have no reason to be ashamed of my Religion; for it teacheth nothing but the Right Worship of God, Obedience to the King, and due Subordination to the Temporal Laws of the Kingdom; And I do submit to the Articles of Faith believed and taught in the Catholick Church, believing them to be most consonant to the Word of God. And whereas it hath so much and often been objected, that the Church hold; That Sovereign Princes Excommunicated by the Pope, may, by their Subjects, be Deposed and Murdered: as to the Murder  
of

of Princes, I have been taught, as a matter of Faith in the Catholick Faith, that such Doctrine is diabolical, horrid and detestable, and contrary to the Law of God, Nature and Nations; and as such, from my Heart, I renounce and abominate it. As for the Doctrine of deposing Princes, I know some Divines of the Catholick Church hold it; but as Able and Learned as they have writ against it; But it was not pretended to be the Doctrine of the Church, that is, any point of Catholick Faith: Wherefore I do here in my Conscience declare, That 'tis my true and real Judgment, That the same Doctrine of deposing Kings, is contrary to the Fundamental Laws of this Kingdom, injurious to Sovereign Power, and consequently would be in me, or any other of

his Majesties Subjects, impious and damnable. I believe and profess, that there is one God, one Saviour, one Holy Catholick Church, of which, through the Mercy, Grace, and Goodness of God, I die a Member.

To my great and unspeakable Grief, I have offended God in many things, by many great Offences; but I give him most humble thanks, not in any of those Crimes of which I was accused.

All the Members of either House having liberty to propose in the House what they think fit for the Good of the Kingdom, accordingly I propos'd what I thought fit: the House is judge of the fitness or unfitness of it: and I think I never said any thing that was unfitting there, or contrary to the Law and use of Parliaments; for certain-

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certainly if I had, the Lords would, as they might, have some way punished me: So t. am not culpable before God or Man.

It is much reported of Indulgences, Dispensations, Pardons to Murder, Rebell, Lye, Forswear, and commit such other Crimes, held and given in the Church. I do here profess in the Presence of God, I never learned, believed, or practised any such things, but the contrary; and I speak this without any Equivocation or Reservation whatsoever: And certainly, were I guilty either my self, or knew of any one that were guilty, whosoever that were so, of any of those Crimes of which I am accused, I were not only the greatest Fool imaginable, but a perfect Mad-man, and as wicked as any of those that so falsely have accused me, if  
I

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I should not discover any ill Design I knew in any kind, and so upon discovery save my Life, I having so often had so fair occasions proposed unto me, and so am guilty of Self-murder, which is a most grievous and hainous sin. And though I was last impeached at the Lords Bar, yet I have great grounds to believe, that I was first brought to Tryal on the belief, that to save my Life *I* would make some great Discovery; and truly so *I* would, had *I* known any such thing of an ill Design, or illegal dangerous Plot, either of my self, or any other person whosoever, without exception. But had *I* a thousand Lives, *I* would lose them all, rather than falsely accuse either my self, or any other whosoever: And if *I* had known of any Treason, and should thus deny it, as *I* do now  
upon



upon my Salvation, at this time, *I* should have no hope of Salvation, which now *I* have through the Merits of Jesus Christ.

*I* do beseech God to bless his Majesty, who is my Lawful King and Sovereign, who *I* was always by all Laws Humane and Divine, bound to obey: And *I* am sure, that no Power upon Earth, either singly or altogether can legally allow me, or any Body else, to lift a Hand against him or his Legal Authority. *I* do hold, that the constitution of the Government of this Kingdom, is the only way to continue Peace and Quietness; which God long continue.

Next to Treason, *I* hold Murder in abhorrence, and have ever done, and do; and *I* do sincerely profess, that if *I* could at this time free my self immediately, and establish

bliss what Religion *I* would, and what Government *I* would, and make my self as Great as *I* could wish, and all by the Death of one of those Fellows that by their Perjuries have brought me to the place where *I* am, *I* so much abhor to be the cause of any mans Death, that *I* would not any way be the Cause of their Murder. How much less would *I* endeavour the Assassination of his Majesty, whom *I* hold to be as Gracious a King, as ever this, or any other Nation had, and under whom the People may enjoy their Liberties as much as ever any did: And if it please God to grant him Life and Happiness, according as *I* have always wished and prayed for, *I* am morally persuaded, that he and all his Dominions will be as happy and prosperous as ever any People were;

were; which I beseech God grant.

I do most humbly ask Pardon of the Almighty and All-Merciful God, all the great Offences I have committed against his Divine Majesty; and I know he would not have the Death and Confusion of a Sinner, but that he may repent and live: in that Assurance I hope, knowing he never despiseth a Contrite Heart; and though I have not so feeling a Contrition as I would, yet I have it as well as I can; and I doubt not, but that God will accept of the Good Will.

I desire, that all People will forgive me any injury that I have done them in any thing, either wilfully or by Chance; and I do heartily forgive all People in the World that have injured me; and I forgive even those perjured Men that so falsely have brought  
me

me hither by their Perjury.

I do now upon my Death and Salvation aver, that *I* never spoke one word either unto *Oates* or *Turbervill*, or to my knowledge, ever saw them until my Tryal; and for *Dugdale*, *I* never spoke unto him of any thing, but about a Foot-boy, or Foot-man, or Foot-race; and never was then alone with him. All the punishment that *I* wish them, is, That they may repent, and acknowledge the Wrong they have done me; then it will appear how innocent *I* am. God forgive them, *I* have a great Confidence, that it will please Almighty God, and that he will in a short time bring Truth to Light; then you and all the World will see and know what injury they have done me.

*I hope I have made it appear that I have some Conscience; for if I had none, certainly I would have saved my Life by acknowledging my self Guilty. which I could have done, tho' I know I am not in the least Guilty. And I having some Conscience, make very ill use of it; for I throw my self into Eternal Pain, by thus plainly and constantly denying thus at my Death, the Knowledge of what I am accused of in the least.*

*I have said thus much in discharge of my Conscience, and do aver, upon my Salvation, what I have said to be really true.*

*I shall say little of my Tryal; and whether it were all according to the known Law, I am too much a Party to say much of it; if it were not so, God forgive him or them that were the cause of it.*

*My*

My Judges were all Persons of Honour, who were all as much bound to judge rightly, as if they had been upon Oath upon what was legally proved; and not to Vote, but according as in their Consciences they were satisfied; and if any of them did otherwise upon any account whatsoever, I beseech God forgive them, I do so heartily.

I shall end with my hearty Prayers for the Happiness of his Majesty, that he may enjoy all happiness in this World and the World to come, and govern his people according to the Laws of God; and that the People may be sensible what a Blessing God hath so miraculously given them, and obey him as they ought. I ask Pardon, with a prostrate Heart, of Almighty God; for all the great Offences that I have  
com-

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committed against his Divine Majesty, and hope through the Merits and Passion of Christ Jesus, to obtain Everlasting Happiness ; into whose Hands I commit my Spirit, asking Pardon of every person that I have done any wrong unto : I do freely forgive all that have any ways wronged me ; I do with all the Devotion and Repentance that I can, humbly invoke the Mercy of our Blessed Saviour.

I be'eech God, not to revenge my innocent Blood on the Nation, or on those that were the Cauſers of it, with my last Breath. I do with my last Breath, truly assert my innocency, and hope, the Omnipotent, All-seeing, Just God will deal with me accordingly.

L

Having

Having read out his Paper, he desired permission to pray after his own Form; which being granted, he kneel'd down by the Block; and pulling another Book out of his Pocket, read a Latin Prayer; which when he had concluded, he gave the Paper to Sheriff *Bethel*; and then directing his Speech to the People, he desired God to bless them all, and to preserve his Majesty, whom he exhorted the People to faithfully obey, being as good a Prince as ever govern'd them; and so after some short Discourses, in Private with his Friends, he stretch'd himself upon the Block, and bidding the Executioner take his Opportunity, his Head was soon sever'd from his Body, and held up to the view of the People.

The Tryal being thus over, the House was again free for Business.

*Wednesday the 8th. of December*, was the day subsequent to the Sentence; but in regard it was only spent in amending Elections, and discharging Offenders upon their Petitions, we are obliged to pass it over.

The



The next day, being *Thursday* the 9th. of *December*, Colonel *Bireh* reported, from the Committee, appointed to examine the Matter of Information, given by Mr. *Peter Norris*, that the Committee, having taken the same into their Consideration, had not thought fit to come to any Resolution therein; but had order'd him to report the Matter specially, which he did, accordingly to this Effect.

That upon the Complaint of Mr. *Norris*, that several Papers had been taken from him, sent for the said Papers, then in a Chest, in the Council Chamber.

That the occasion of Mr. *Norris's* going beyond Sea, both by the said Papers, and by a Certificate delivered by the Earl of *Essex*, to the Chairman of the Committee, and by Dr. *Tong's* Instructions, appear'd to be, to fetch over one *Dowdel*, an *Irish* Priest, who had been conversant with the Priests in *France* and *Ireland*, that manag'd the Plot in *England* and *Ireland*; and by that means was privy to the whole Plot, which he had made known, by several Letters, to Dr. *Tong*, perused by the Earl of *Essex*; besides that, Satisfaction

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was given by a known Merchant in *London*, that the said *Dowdal* was an understanding Person, and fit to be credited.

That by an Order of Council, the 18th. of *July*, 1679. the said *Dowdal* was permitted to come from *Dover*, and stay for a Month.

That after the said Order for his coming, *Dowdal* died, not without Suspicion of a violent Death.

That upon Examination how it came to pass, that *Norris* was in so much danger beyond Sea, particularly at his coming Aboard the *Calice* Pacquet-Boat, that he was Imprisoned at *Dover*, brought from *Dover* by a Messenger, was a particular Description given of him, to Mr. Secretary *Jenkins*, the 29th. of *May*, 1680.

That upon Examination, who gave this Description? They found, that *Thomas Sheridon*, who had lately been with the D. at *Brussels*, and came over with him in the same Yacht, carried the said Description to the Duke, and that it was brought him by one *Anthony Day*, Doctor of Physick to the late Army in *Flanders*. That *Day* confess'd,  
That

That coming one day to visit Mr. *Sheridon*, he told him in Discourse, That now the whole Plot would be discovered : For he heard, there was one gone beyond Sea, to fetch over a Priest that knew it all. That Mr. *Sheridon* desir'd him to describe the Person; to which he reply'd, He knew neither the Person nor the Priest ; but that one *John Butler*, near the *French* Ambassador's, had told him so. That Mr. *Sheridon* desired him to get a Description ; which he did, writing the same from the said *Butler's* own Mouth, all but the last Line; which *Butler* was since dead.

That *Sheridon* had confess'd, that he did go to the said Secretary *Jenkins*, and told him, that there was one gone over, who knew as much of the Plot as any Man.

That the Secretary commanded him to give him a Description of the Person. That thereupon he did go to Mr. *Day* for the Description, which Mr. *Day* gave him, and so he delivered it to the Secretary.

They found also, that the Description so delivered, a Letter was written by Mr. *Cook*, which the Secretary de-

clai'd, he would take upon himself, to this Effect:

*That the Secretary being call'd away hastily, to wait upon the King at Windsor, had commanded him to send the Inclosed Description of a Person to such a one, who was to keep a strict Eye over him and his Company, if they Landed at Dover, till they should be carried before a Magistrate, who was to tender them the Oath of Allegiance and Supremacy; which, if they refus'd, then they were to be sent to Prison; if they took them, some handsom Course was to be taken to detain them, till the Secretary was acquainted with what was done: Upon which, Norris was committed to the Common Prison.*

All which, being of a more than ordinary Nature, was refer'd, by the Committee, to the Wisdom of the House.

The next day, being *Friday*, the 10th. of *December*, the House took the Report aforesaid into Consideration; and the Secretary having given an Account of his Proceedings therein, withdrew. Nor was it long after, before the House came to a Resolve, That the Imprisonment of *Norris* was illegal, and that the Proceedings of *Sir Lionel*, in de-

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describing the Person of *Norris*, and directing his Imprisonment, was Illegal and Arbitrary, and an Obstruction to the Evidence for Discovery of the Plot.

*Saturday, December 11.* nothing remarkable occur'd.

Neither did *Monday*, the 13<sup>th</sup>. of the same Month, produce any thing more considerable; than an Order, that the Respective Members of Parliament, and Barons of the Cinque-Ports, should, for the Places for which they serv'd, with all convenient speed, bring in Lists of all Papists and reputed Papists, within the several Counties, Cities, Boroughs and Cinque-ports of *England*.

The next day, being *Tuesday* the 14<sup>th</sup>. of *December*, Sir *Robert Peyton* was call'd to an Account, upon a Report from the Committee, appointed to examine the Information against him given in by Sir *William Roberts*, which being read, it was Voted by the House,

That it appear'd, both by the Reports, and by his own Confession, that he had had secret Negotiation with the Duke of *York*, by means of the Earl

of *Peterborough, Cellier and Gadbury*, when they were turning the Popish Plot upon the Protestants. Whereupon it was presently order'd, that he should be expelled the House; which was done the next day, with so severe a Reprimand, as sufficiently shew'd the Indignation of the House against his Proceedings.

— *Wednesday*, the 15<sup>th</sup>. of this Month, his Majesty having sent for the Commons to attend him in the House of Peers, was pleased to declare himself in a short Speech, to this Effect:

That at the opening of the Parliament, he had acquainted them with the Alliance made with *Spain* and *Holland*, as most conducing to the Safety of *England*, and Repose of Christendome; and that if the Friendship of *England* should prove unsafe to trust to, it could not be wonder'd, that the Neighbouring States should take such Resolutions as might prove Fatal to us.

That he was then to tell them how little had been done since their Meeting, to encourage their Dependance upon us; and that he found that unless we could be so united at Home, to make

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our Alliance valuable, it would be impossible to hinder those Abroad from making our Alliances inconsistent with the publick Safety.

As for *Tangier*, he told them, That if they thought the place worth the keeping, they must take it into speedy Consideration; being an Expence otherwise above his Power.

Promising for his own part, the fullest Satisfaction they could wish, for the Security of the Protestant Religion, and a Concurrence with them in any Remedies, consistent with the preservation of the Succession, in the Legal Course of Descent.

Concluding, That being so ready on his part, to satisfy their Desires, he desired to know how he should be assisted by them, and what they expected from *Him*?

This Speech being reported by the Speaker, they resolv'd into a Committee of the whole House. After which, the Speaker resuming the Chair, they came to several Resolves, *Nemine contradicente*,  
1. That one way for the suppressing of Popery, was to banish all the Considerable Papists out of *England*.

That

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That as long as the Papists had any hopes of the D. of *York's* Succession, both the Protestant Religion, and the Lives, Liberties and Properties of the King's Protestant Subjects were in Danger to be destroy'd. 3. That there should be a Bill brought in, for the Association of his Majesties Protestant Subjects, for the Safety of King, Religion and People, against all Invasions, or Oppositions whatsoever; and to prevent the Succession of the D. of *Y.* or any other Papist.

*Thursday* the 16th. was spent for the most part in reading of Bills.

The next day, being *Friday*, the 17th. of *December*, upon a Report, by Sir *William Poultney*, from the Committee, appointed to draw up the Impeachment against Mr. *Seymour*; the Articles of Impeachment were order'd to be Ingross'd, and Mr. *Seymour* to be taken into Custody, by the Serjant at Arms, who was empowered to take Security for his forth-coming.

*Saturday*, being the 18th. they took into serious Consideration, his Majesties Last Speech; and after some debate, resolv'd, that an Address should be prepar'd in answer to it.

*Mon-*



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*Monday* the 20th. produc'd nothing at that time remarkable, but only the Address, which was then read and agreed to, and presented the next day.

*Tuesday*, the 21th. of *December*, not much more was done than upon the day before, only that an Information was given into the House, that one *Henry Carew*, a Fryar, of *Saint Maloes*, in *France*, had, for several Years last past, executed the Office of Surveyor of the Customes in the Port of *Bristol*; and thereupon, it was referr'd to the Committee, appointed to receive Informations concerning the Plot, to examine the Business, and make their Report.

In the Afternoon, they presented their Addresses to his Majesty, in the Banqueting-House, in Answer to his Last Speech; of which, the Chief Heads were these:

That they did gratefully acknowledge his Majesties Goodness, in renewing his Assurances of his Readiness to concur with them for the Security of the Protestant Religion; but that they observ'd, there was a Reservation annex'd;

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nex'd, which if insisted on, would render all his other Inclinations of no Advantage to them.

That as to the preservation of the Succession in its Legal Course, they had not endeavour'd any Interruption, except only of the Descent upon the Person of the D. of *York*, whom the Instruments of the Church of *Rome*, had perverted to their Religion. For which Reason they did represent it as the Issue of their most deliberate Thoughts, That for the Papists to have their Hopes continued in the Expectation of a Popish Prince, was utterly inconsistent with the Safety of his person, the Preservation of the Protestant Religion, and the Welfare of his people.

They farther represented to him the Danger of his Person, from the principles of the *Papists*, which allow the Excommunication and Deposition of *Princes*.

That the Expectation of a *Popish* Successor, had not only encreas'd the Number of *Papists* in the Kingdom; but also prevail'd with others to desert Protestantism, that they might be prepar'd for the Favor of the *Popish Prince*.

That

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That it had hardened the *Papists* of this Kingdom to make a Common purse, provide Arms, and sollicite the Aid of Foreign Princes, to impose *Poper*y upon the Nation.

That it was his Majesties Glory and true Interest to be the Protector of all Protestants both, at Home and Abroad: But if such Hopes should remain, what Alliances could be made for his Majesties Allies, and the Protestants abroad to trust to?

Then they laid before his Majesty the Evils that would befall from a *Po*pish Succession.

The Protestant Religion would be totally overthrown.

The Pope would be acknowledg'd a Supreme, and all things be brought under his Jurisdiction.

The Lives, Liberties and Estates of all Protestants that value their Souls, will be adjudged forfeited; in regard, that the Extirpation of *Hereticks* was used as an Argument to invite Foreign Princes to assist the Duke.

Farther

Farther, they desir'd him to consider, whether, in Case the D. should attempt to Succeed, whether the Opposition probable to be made against him, might not endanger the Descent of the Royal Line, but even Monarchy it self.

For which Reasons, they besought his Majesty, that when a Bill should be tender'd him in a Parliamentary way, he would give his Royal Assent thereto; and, as necessary to fortifie the same, that he would also assent to another Bill, to enable his Protestant Subjects to associate for the Defence of his Person, the Protestant Religion, and the Security of the Kingdom. And that as a farther Means for the Preservation of the same, the Judges might be Persons of Integrity, and true Zeal to the Protestant Religion, and might hold their Employments only, *quamdiu se bene gesserint*; and that the Lord Lieutenants, Deputie-Lieutenants, and Justices of the Peace, might be persons of the same Principles, and all others displac'd; and so likewise for the Military Officers, and Commanders in the Fleet.

Which

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Which Requests of theirs being granted, they would be ready to assist his Majesty for the preservation of *Tangier*, and to put the Fleet into a Condition, both to preserve the Sovereignty of the Seas, and defend the Nation.

*Fa.* What Answer was given to this Address?

*Tr.* You shall hear more of that in due time.

The two next days, being the 23<sup>d</sup>. and 24<sup>th</sup>. of *December*, produc'd little for our purpose: Only, that upon the last of the two, upon a Report from the Committee, appointed to examine the Complaint against Mr. *Thompson*, a Minister, it was unanimously resolved, by the House, That the said *Thompson* had publickly defam'd his Majesty, preach'd Sedition, villify'd the Reformation, and promoted Popery, by asserting Popish Principles, denying the Plot, and turning the same upon the Protestants; and that he had endeavored to subvert the Liberty and Property of the Subject, and the Rights and Priviledges of Parliament; and that he was a Scandal and Reproach to the Function;

Function; and thereupon order'd a Committee to prepare an Impeachment against him. After which, the *Holydays* approaching, the House adjourn'd till the 30th. of the same Month.

*Fa.* Can you tell me what Mr. *Thompson* had done to deserve so severe a Sentence?

*Tru.* Yes.

*Fa.* Pray do then, as short as you can.

*Tru.* The First Witness upon Examination at the Committee, said, That in a Sermon preach'd by the said Mr. *Thompson*, upon the 30th. of Jan. 79. He publickly declar'd, That the *Presbyterians* were persons which the Devil blush'd at; and that they were worse than either Priests or Jesuits; and that the Villain *Hampden*, grudg'd more to give the King Twenty Shillings, which was his due by Law, for Ship-money and Loan, than to raise a Rebellion against him.

The Second Witness said the same, and added, that *Thompson* should say, He hoped the *Presbyterians* would be pull'd out of their Houses, and that the Goals would be fill'd with them; and wish'd their Houses burnt.

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The Third said, That Mr. *Thompson*, at another time averr'd, That for a man to receive the Sacrament from any other Minister, than of the Parish where he dwelt, was Damnation to his Soul ; and that he would maintain the Doctrine.

The Fourth Witness said, That in the Fore-mentioned Sermon, Mr. *Thompson* declared, That there was a great talk of a Plot ; but said he, a *Presbyterian* is the Man.

The Fifth, That in the same Sermon, Mr. *Thompson* asserted, That a *Presbyterian* Brother *qua talis*, was as great a Traytor, as any Priest or Jesuit ; and then condemn'd all the Proceedings of Parliaments.

A Sixth, That speaking of the Act for *Burying in Woollen*, affirm'd, That the Makers of that Law, were a Company of Old Fools and Fanaticks ; and that he would bring a School-boy, should make a better Act than that.

A Seventh said, That in a Sermon, while the Petitions were on Foot, he very much derided and scoff'd at them, comparing them with the *Scotch* Petition, delivered at *Durham*, at the Head of their Army.

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The Eighth Witness said, That in a Funeral Sermon of one Mr. *Wharton*, speaking in Commendation of the Deceas'd, he said, he was no Schismatical, Petitioning Rebell. And at another time declar'd, That such as went to Lectures, were the Brats of the Devil.

A Ninth, That he inveigh'd bitterly against Petitioning, saying, It was the Seed of Rebellion; that the Devil set 'em on Work, and would pay 'em their Wages; and that before he would set his Hand to such a Petition, he would cut it off.

A Tenth, That being with Mr. *Thompson* in the Chancel of St. *Thomas's* Church in *Bristol*, where Queen *Elizabeth's* Effigies is, he the said *Thompson*, pointing his Finger to it, said, That she was a Lewd, Infamous Woman; that she was a Church-Robber; and that *Hen. 8.* began it, and she finished it.

The Eleventh, That in the Year 78. Mr. *Thompson* rail'd in his Sermon against *Henry* the Eighth, saying, he did more Hurt in robbing the Abby-Lands, than he did Good by his Reformation.



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The Twelfth, That he said the Plot was nothing but a *Presbyterian Plot*.

The Thirteenth said the same with the Ninth.

The Fourteenth confirm'd what the Second had declared.

The Fifteenth and last Evidence declar'd, That he heard Mr. *Thompson* in Discourse affirm, That if he were as well satisfied of other things, as he was of Justification, Auricular Confession, Penance, Extreame Unction, and Chrism in Baptism, he would not have been long separated from the Catholick Church.

That he had endeavor'd to prove Auricular Confession and Extreame Unction out of the Epistles.

That he heard him say, the King was of a mean and soft Temper, easily led to any thing; but yet a *Solomon* in Vices: But that the D. was a Prince of a brave Spirit, faithful to his Friends; but it was our own Faults that he was a *Roman Catholick*, in that we forc'd him to fly into *France*.

That he would rather cut off his Hand than Sign a Petition for Sitting of the Parliament.

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That *Bedloe* was not to be credited on any thing he said.

That it was better for a Clergy-man to be gelt, than to marry; and that the *Calvinists* of *France* were lecherous Fellows.

*Mr. Thompson* being ask'd, whether he were guilty of the Matters laid to his Charge, and desired to make his Defence, did for the greatest part confess words spoken to that Effect; and in other things, endeavoured to turn the words with more favor toward himself.

But the Credit of the Witnesses was such, that the Committee was soon satisfied, and made their Report to the House; upon which ensued the Sentence, and Judgment of the House before recited.

Upon *Thursday* the 30th. of *December*, the House met again; at which time, among other things, not proper for this Continuation, it was unanimously resolv'd, That no Member of the House should accept of any Office, or place of Profit from the Crown, without the leave of this House; or any promise of any such Office or place of profit, during

ring such time as he should continue a Member of the House.

*Friday*, the last of *December*, pass'd without any material Transaction that requires Relation.

The next day of Sitting, was the 3<sup>d</sup>. of *January*; upon which day, the *Peers* sent a Message to the Commons, intimating, that they had received a Petition from Mr. *Seymour*, wherein he desir'd a day might be appointed for his speedy Tryal; of which they thought fit to give them Notice, not finding any Issue by Replication.

Thereupon the Articles against Mr. *Seymour* were read, and a Committee order'd to prepare Evidence against him, and manage the same at the Tryal.

At the same time also, the Articles of Impeachment against Sir *William Scroggs* were read, as having been prepar'd some days before, by the Committee appointed to examine the proceedings of the Judges, &c. The Heads of which Report, and of the Articles themselves, were as follows:

In the first place, the Committee found by the Information of *Charles Umphrevile*, Fore-man of the Grand Jury, for the

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Hunder'd of *Ostulston*, in the County of *Middlesex*, and others of the same Jury, that upon the Second of *June*, 1680. the Constables were found defective, in not presenting the Papists as they ought; upon which they were order'd to make farther Presentments by the 26<sup>th</sup>. day following; upon which day they met again to receive them. That upon the said day, a Bill was brought them against *James*, D. of *York*, for not coming to Church. That about an hour after, they receiv'd the said Bill, some of the Jury attended the King's Bench with a Petition for the Sitting of the Parliament. Upon which, the Lord *Scroggs* raised many Scruples, and pretending all the Jury were not in the Court, though twenty had subscrib'd, sent for them, saying, he would dispatch them presently. Then the Jury being come and call'd over, renewed their desire concerning the Petition; To which the C. J. *Rich.* we will not make two words of the Business; adding, that the Petition was no Article of their Charge; that no Act requir'd the Court to deliver the Grand Juries Petition, or to run of their Errands; and that there was a Proclamation

clamation concerning them; and that 'twas much they should come to alter the King's Mind, declared in the News Book; that the Jury reply'd, that they only desir'd it with Submission, as other Juries had done; that the Court answer'd, that they had medled with what was never given them in Charge, but had brought in no Bills; that the Jury reply'd, they had many before them; notwithstanding which, Judge Jones told them they were discharg'd from farther Service: which by the Evidence of Mr. Aftry, Mr. Waterhouse, and Mr. Ward, appear'd not to have been done in their memory before.

The next thing was, that there was a Rule of Court made, all the Judges present, and nine dissenting, against the Printing and Publishing *The Weekly Pacquet of Advice; or the History of Popery.*

Thirdly, That there had been a very great Latitude taken by the Judges, in imposing Fines upon persons found guilty before them.

Particularly, that *John Brown* of London, Gentleman, for publishing a Printed Book, call'd, *The Long Parliament dissolv'd*, was fin'd a Thousand Marks,

bound to his good Behaviour for seven years, and his Name struck out of the Roll of Attorneys, without any Offence alleadg'd in his Practice. For which fine, not being able to pay it, he lay in Prison three Years; and tho' his Majesty was graciously pleas'd to pardon him, and recommended him, by his Warrant, to be restor'd again to his place of Attorney, yet he could not obtain his said Restauration from the Court of *Kings Bench*.

*Fa.* Pray, what was the great Crime which gave so great a Provocation?

*Tr.* A certain passage, which seem'd to be a kind of Exhortation, or rather a *Memorandum*, as it were to the Parliament, not to betray their Trusts, to this Effect, *That no man ought to think it strange, that it should be thought Treason for a Parliament, to sit and act contrary to the Laws of the Land: For that, if in the first Parliament of R. 2. Grimes and Weston, only for lack of Courage, were adjudg'd guilty of High Treason, for surrend'ring the Places committed to their Trust. How much more the Parliament, should they turn Renegadoes to the People that intrusted them, surrender all the Legal Defence of the People*

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ple of England, their Lives, Liberties and Properties at once, &c.

2. That John Harrington of London, Gent. for speaking these words in Latin, *Quod nostra Gubernatio consistebat de tribus Statibus; et si Rebellio eveniret in Regno, et nec accideret contra omnes tres Status, non est Rebellio*, was Fin'd 1000 l. bound to his good Behavior for 7 Years, and to recant the words in open Court.

That Ben. Harris of London, Stationer, for Printing a Book call'd *An Appeal from the Country to the City*, was Fin'd 500 l. to stand in the Pillory an Hour, and to give Security for his good Behavior, for 3 Years; that the Lord C. J. Scroggs prest the Court, that he might be publickly whipt; but Judge Pemberton, holding up his Hands in admiration of such a Severity, Judge Jones pronounced the Sentence as before.

Fa. What was the Crime laid to the Charge of that Book?

Tr. This particular Passage; *We in the Country, have done our parts in chusing for the generality good Members; but if they must be dissolv'd or prorogu'd, when ever they come to redress the Grievances of the Subject, we may be pitied, not blamed, if the Plot take effect.* That

That notwithstanding the Severity of the Court, in these Cases, their Mercy and Compassion was extraordinary in others.

Particularly, That *Tho. Knox*, Principal in an Indictment of Subornation and Conspiracy, against the Testimony of *Dr. Oates* for Sodomy, and the Testimony of *William Bedloe*, was only Fin'd 200 Mark, a Year Imprisonment and security for the good Behavior for 3 years; that *Lane* for the same Offence, was only Fin'd 100 Marks, Pillory'd for an hour, and Imprison'd for one year.

That *John Tasborough*, on an Indictment for Subornation of *Stephen Dugdale*, tending to the Overthrow of the whole Plot, though affirm'd to be a person of Quality, was only Fin'd 100 l.

*Ann Price*, for the same Offence 100 l.

*Nathaniel Thompson*, and *Will. Badcock*, for exhibiting a weekly Libel, call'd, *The True Domestick Intelligence*, and known to be Popishly affected, Fin'd only each of them, 3 s. 6 d.

*Matthew Turner*, for vending and publishing a Book, call'd, *The Compendium*, wherein the Justice of the Nation, in the Tryals of the Conspirators, even by some of those Judges themselves, is highly arraign'd,



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raign'd, and the King's Evidence horribly aspers'd, though known to be the Common, notorious Bookseller about the Town, Fin'd only a 100 Marks.

One *Loveland*, upon an Indictment, for a notorious Conspiracy, and Subornation against the Life and Honour of the D. of *Buckingham* for Sodomy, Fin'd only 5*l.* and Pillory'd for an Hour.

*Richard Christian* Esq; for the same Offence, Fin'd 100 Marks, and pillory'd for an Hour.

*Arth. Obrian*, for the same offence, fin'd only 20 Marks, and pillory'd for an hour.

Whereupon, it was the unanimous Opinion of the Committee, that the Court of Kings Bench, had acted arbitrarily, illegally, and partially, in favoring Papists, and Persons Popishly affected, and oppressing his Majesties Protestant Subjects.

Proceeding farther, they found, that several of his Majesties Subjects had been Committed, for Crimes Bailable by Law; and that their Sureties, though sufficient, were refus'd. Among the rest, that *Henry Care* had been so refus'd the common Right of a Subject.

2. That *George Brown*, a Constable in *London*, having Committed some of the

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L. C. Justice's Servants for great Disorders, was seiz'd by a Tip-staff, by the L. C. Justice's Warrant, and committed to the Kings Bench, tho' he tender'd two able Citizens, and Common-Council-Men of *London*, for his Bail.

3. That *Francis Smith* Bookseller, for Printing certain *Observations upon Sir George Wakeman's Tryal*, was by the C. J. committed to the Kings Bench, tho' he tender'd three sufficient Citizens for his Security.

That the said C. J. committed *Jane Curtis*, a Feme Covert, for publishing a Book, call'd, *A Satyr against Injustice*; and tho' her Friends tender'd sufficient Bail, he swore by the Name of God, she should go to Prison; and that he would shew her no more Mercy, than they could expect from a Wolf that came to devour them.

That about the same time, *Edward Berry*, a Stationer in *Greys Inn*, being accus'd for selling the *Observations upon Sir George Wakeman's Tryal*, was committed by the said C. J. who said, he should go to Prison, tho' he tender a 100*l.* Security; and that after he had got his *Habeas Corpus*, he was forc'd to attend five Terms before he could be discharg'd.

Upon

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Upon which, it was the Result of the Committee, that the refusing Bail, where persons wereailable by Law, was illegal, and a high Breach of the Liberty of the Subject.

After that, the said Committee, taking into Consideration an Information against Baron *Weston*, they found, by the Testimonies of *John Colt*, *Richard Mayo*, and *John Peiron*, Gentlemen, that the said Baron had us'd these following Expressions in his Charge at *Kingston Assizes*, *That Zuinglius set up his Fanaticism, and that Calvin built upon that blessed Foundation*: And, said he, all his Disciples are season'd with such a sharpness of Spirit, that it much concerns Magistrates to keep a strict hand over them. And now they are restless, amusing us with Fears, and nothing will serve them but a Parliament, &c.

Upon which, the Opinion of the Committee was, that the Expressions in the Charge given by Baron *Weston*, were a Scandal to the Reformation, in derogation of the Rights and Priviledges of Parliaments; and tending to raise Discord between his Majesty and his People.

The Committee then falling again upon

on the Business of the L. C. J. *Scroggs*, they found by the Examination of Sir *Robert Atkins*, that at Dinner, at the Old Baily, Sir *Robert Clayton* being Mayor, he had openly condemn'd petitioning for Parliaments, as Factionous, and tending to Rebellion; which the Lord Mayor justifying as the Right of the Subject, put the C. J. into a very great Passion.

That at the Summer Assizes, at *Monmouth*, Mr. *Arnold*, Mr. *Price*, and Mr. *Bedloe* being in Company, he fell very severely in publick, upon Mr. *Bedloe*, to to the disparagement of his Evidence, and upon Sir *Robert's* defending Mr. *Bedloe*, he fell into a passion, and said, he believ'd Mr. *Langhorn* died innocently.

These things being reported to the House, the House confirm'd the Resolutions of the House in each particular, and order'd an Impeachment against Baron *Weston*, and Judge *Jones*, for his illegal proceedings against Mr. *Dare*, at *Somerset* Assizes.

*Fa.* Well, but those were things only order'd: Come now to the Articles against my L. C. J. which you say were perfected and drawn into Form.

*Tr.* The Articles against Sir *W. Scroggs* were eight in all.

2. That

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1. That being Chief Justice of the King's Bench, he had endeavor'd to subvert the Fundamental Laws and the Establish'd Religion and Government of the Kingdom, and to introduce Popery and Arbitrary Government.

2. That contrary to his Oath, taken duly to administer Justice, he had discharg'd the Grand Jury for the Hunder'd of *Ossulston*, before they had made their Presentments, or found the Bills of Indictment that were before them, contrary to the known course of the said Court; by which illegal Discharge, the Presentments of many Papists, and other Offenders, were obstructed, and a Bill against the *D. of Y.* for not coming to Church, was prevented from being proceeded against.

3. That he had caus'd an illegal and arbitrary Rule to be enter'd into the Kings Bench, against the Printing of the *Weekly Pacquet of Advice from Rome; or the History of Popery*; wherein the Cheats, and Superstitions of the Church of *Rome*, were from time to time expos'd; to the manifest countenancing of Popery, and Discouragement of Protestants.

4. That he had most notoriously departed

parted from all Rules of Justice and Equality, in the imposition of Fines upon persons convicted of Misdemeanors.

5. That he had frequently refus'd to accept of Bail, though sufficient and legally tender'd him by several persons accus'd before him, for Crimes which wereailable by Law: several of the said persons being only accus'd of Offences against himself; declaring at the same time, that he refus'd Bail, and committed them only to put them to Charges.

6. That he had granted divers General Warrants for attacking the persons, and seizing the Goods of his Majesties Subjects, not nam'd, or particularly describ'd in the said Warrants; by means wherof their Houses have been enter'd, & their persons oppress'd contrary to Law.

7. That tho' he had Try'd and Condemn'd several of the Offenders in the late horrid Popish Plot, for murdering the King, &c. Yet he had at divers times and places openly defam'd and scandaliz'd several of the Witnesses who had prov'd the Treasons of the Conspirators; by which means, he did as much as in him lay, endeavor to suppress and stifle the Discovery of the said Plot.

8. That

8. That his frequent and notorious Excesses and Debaucheries, and his prophane and Atheistical Discourses, were a daily affront to God, a dishonor to his Majesty, and gave Countenance to all manner of Vice and Wickedness.

Thereupon it was pray'd, that the said Sir *William Scroggs* might be put to answer the Premises, and be in the mean time committed to safe Custody.

But the Crimes objected against him, not being look'd upon as Capital, he was Bail'd by the Earl of *Dorset* and *Middlesex*, and the Lord *Hatton*, who became Security for his Forth-coming; during which time, his Lordship ceas'd to act in his Place, or to appear in *Westminster Hall*, as Chief Justice.

*Tuesday*, the 4th. of *January*, Sir *William Temple* delivered a Message from his Majesty to the House, in answer to their last Address, to this Effect:

*That he had received their Address, with all the disposition they could wish, to comply with their reasonable Desires; but that he was sorry to see their Thoughts so wholly fix'd upon the Bill of Exclusion, as to determine all other Remedies for the suppressing of Popery ineffectual; but that he was confirm'd in his O-*

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pinion against it, by the Judgment of the Lords who had rejected it; and that therefore there remain'd nothing more for him to answer, but to recommend to them all other means for the preservation of the Protestant Religion, in which they could have no reason to doubt of his Concurrences, when they shall be presented him in a Parliamentary way. As also, to consider the present State of the Kingdom, as well as the condition of Christendom; so as to enable him to secure *Tangier*, and secure his Alliances abroad.

The same morning, a Message was sent from the Lords, to acquaint the House with a Vote which they had pass'd, declaring, that they were fully satisfied, that there was, and, for divers years, had been, a horrid and Treasonable Plot and Conspiracy carried on by the Popish Party in *Ireland*, for Massacring the *English*, and Subverting the Protestant Religion, and the Establish'd Government of that Kingdom.

*Wednesday*, the 5th. of *Jan.* pass'd without any thing remarkable to our purpose.

The next day, being *Thursday* the 6th. of *Jan.* the E. of *Tyrone* being order'd to be impeach'd of High Treason, the Lord *Dursey* was order'd to go up to the Bar of the House,



House, and perform the Commands of the House, and to pray, that he might be committed to safe Custody.

*Friday*, the Articles of Impeachment against Sir *William Scroggs*, were carried up to the Lords, by the Lord *Cavendish*.

The same Morning, the House taking into consideration his Majesties last Message, made several Resolves.

1. That there was no Security for the Protestant Religion, the King's Life, or the Establish'd Government of the Kingdom, without passing a Bill for disabling the D. of Y. to Inherit the Imperial Crown of *England* and *Ireland*, &c. And that to rely upon any other means or Remedies, was not only insufficient, but dangerous.

2. That unless a Bill were pass'd for Excluding the D. of Y. the House could not give any Supply to his Majesty, without danger to his Majesties Person, the hazard of the Protestant Religion, and Breach of Trust in them to the People.

3. That they who had advis'd the King to insist upon an Opinion against the Bill, had given him pernicious Counsel, and were promoters of Popery, and Enemies to the King and Kingdom.

4. That it was the Opinion of the House,

that the E. of *Hallifax*, the Marquess of *Worcester*, and the E. of *Clarendon*, were the persons that gave the King that pernicious Advice: And that therefore an Address should be made, for their Removal from the King's Person and Presence, and from their Offices and Employments.

The Earl of *Feverham* was also voted a promoter of Popery, and the *French* Interest, and a dangerous Enemy to the King and Kingdom.

The same day also, they made two other Resolves, That whosoever should lend, or cause to be lent, any Mony, upon the Branches of the King's Revenue, arising by Customs, Excise, or Hearth-mony, should be adjudg'd Obstructors of the Sitting of Parliaments, and be responsible in Parliament.

2. That whosoever should accept or buy any Tally of Anticipation, upon any part of the King's Revenue; or whoever should pay such Tally, should be deem'd guilty of of the same Offence, and be liable to be question'd in Parliament.

*Saturday* the 8th. of *Jan.* the Lords gave notice to the House, that they had appointed the *Saturday* following, to hear Mr. *Seymour's* Cause upon his Impeachment; and that the House might reply, if they thought fit.

*Mon.*

Monday the 10th. of Jan. being the last day of their Session, several Resolves were made.

1. That whoever advis'd his Majesty to prorogue the Parliament, to any other purpose, than in order to the passing the Bill of Exclusion, was a Betrayer of the King, the Kingdom, and the Protestant Religion, and a Pensioner to *France*.

2. That the Members for the City of *London*, should return the Thanks of the House to the City, for their manifest Loyalty to the King, their Charge, and Vigilancy, for the preservation of his Majesty, and the Protestant Religion.

3. That it was their Opinion, that the City was burnt by the Papists, designing to introduce Popery and Arbitrary Power in the Nation.

4. That the Commissioners of the Customs had willfully broken the Law, for prohibiting the *Importation of French Wines* and other Commodities; which, if they should continue, they should be question'd in Parliament.

5. That it was their Opinion, that the D. of *Monmouth*, had been remov'd from his Offices and Commands, by the Influence of the D. of *York*; and therefore order'd,

der'd, that Application should be made to his Majesty, to restore him to all his said Commands and Employments.

6. That it was their Opinion, that the prosecuting of Protestant Dissenters, upon the Penal Laws, was a grievance to the Subject, and an Encouragement to Popery, a weakening of the Protestant Interest, and dangerous to the Peace of the Kingdom.

These Resolutions were no sooner past, but they were summon'd by the Usher of the Black Rod, to attend his Majesty, in the House of Peers; at what time his Majesty was pleas'd to signify his pleasure for a Prorogation, till the 20th. of the Month.

Before the Prorogation was pronounc'd by the Lord Chancellor, his Majesty was pleas'd to sign three Bills, two publick, and one private.

The two publick Acts were, an additional Act for Burying in Wollen; and an Act for prohibiting the Importation of Cattel from *Ireland*.

*Fa.* Seing then there were no more Bills sign'd, there is no question to be made, but that there were the more depending; and if I do not mistake, you promis'd to give me a Catalogue of all those that were under Consideration.

*Tr.*

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*Tr.* I did so; and to shew you I did not intend to deceive your Expectation, I have here collected them together, as they came in their Order to be debated; the Bill of Exclusion excepted, of which you have already had the Heads.

*Bills depending in the last Parliament.*

1. **A** Bill for the Encouragement of Wollen Manufacture.

2. A Bill for Exportation of Leather.

3. An Act for the better regulating the Tryals of Peers in *England*.

4. Two Bills for the regulating Elections of Members in the Commons House of Parliament.

5. A Bill for the continuance of two Acts, *An Act for preventing Planting Tobacco in England*; and a Bill for *Exporting Beer, Ale and Mum*.

6. A Bill for Repeal of an Act made the 35<sup>th</sup>. of *Q. Elizabeth*.

7. A Bill for taking away the Court holden before the President and Council, in the Marches of *Wales*.

8. A Bill for ascertaining Fines upon Convictions of Misdemeanors.

9. A Bill for supplying the Laws against Bankrupts.

10. A Bill for Exportation of Cloth, and other wollen Manufactures.

II. A

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11. A Bill to restrain Papists from coming or residing within the Cities of *London* and *Westminster*, or within 20 miles of the same; and from wearing any Arms.

12. A Bill that the Judges should hold their Places and Salaries only *quamdiu se bene gesserint*.

13. A Bill prohibiting Importation of Cattel from *Scotland*.

14. Two Bills for the ease of Protestant Dissenters.

15. A Bill for Banishing all the most considerable Papists in *England*, out of his Majesties Dominions.

16. A Bill for uniting all his Majesty's Protestant Subjects to the Church of *England*.

17. A Bill for repealing the Act for the well Governing of Corporations.

18. A Bill to prevent Simony.

19. A Bill to prevent Vexatious Actions.

20. A Bill to prevent Brewers from being Justices of the Peace, in the place where they exercise that Trade.

21. A Bill for the better Discovery of Settlements of Estates for superstitious uses.

22. A Bill for the more easie collecting the Duty of Hearth-Mony.

Several other Bills were order'd to be brought in, which never came to be debated; As,

A

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A Bill for regulating and preventing the increase of the Poor.

A Bill for the regulating Hackney Coaches, repairing, paving and cleansing the Streets, and op'ning of passages in and about the City.

A Bill for repair of the High ways.

A Bill to punish Atheism, Swearing and Debauchery.

A Bill for regulating abuses in making of Casks, Barrels, &c.

A Bill for Naturalization of Foreign Protestants; And,

The Bill of Association.

The Bill of Ease to all Protestant Dissenters being perfected by the House of Commons, tho' not assented to by the Peers, was afterwards Printed at large; of which these are the Chief Heads.

1. That all persons, convicted or prosecuted by vertue of an Act made in the 35. year of *Q. Eliz.* and another Act made in the 3. of *K. James*, for Recusancy, that shall take the Oaths of Allegiance and Supremacy; and make and sue for such Declaration to be made in the Court of Exchequer, Assizes, or Quarter Sessions, shall be discharg'd of all penalties, forfeitures, and seizures, by force of the said Statutes, without Composition or Fee.

2. That

2. That no Persons taking the Oaths aforesaid, and subscribing the Declaration for e said, shall be prosecuted upon the said Acts in any Ecclesiastical Court, by reason of their Non-conforming to the Church of *England*. Provided that no persons, dissenting from the Church of *England*, and meeting in any place for Religious Worship, with the Doors lock'd and bar'd, during their so meeting together, shall receive any Benefit from this Law : Neither shall any of the persons aforesaid be exempted from paying Tithes, or other Parochial duties.

3. That if any person, dissenting from the Church of *England*, shall be chosen into any Parish-Office, it shall be lawful for him to execute the same by a sufficient Deputy : Provided the said Deputy be allow'd by two or more of the Justices of the Peace.

4. That no Dissenter in Holy Orders, or pretending thereto, that shall take the said Oaths, and make and subscribe the aforesaid Declaration, together with his Assent & Consent to the Articles of Religion, mention'd in the 13<sup>th</sup>. year of the Queen, except only the 34, 35, and 36. and these words, in the 20<sup>th</sup>. Article, viz. *That the Church has Power to decree Rights and Ceremonies, and Authority in Controversies of Faith*, shall be liable



liable to the Pains and Penalties of either of the Acts made in the 17<sup>th</sup>. or 22<sup>th</sup>. years of his present Majesties Reign: Provided they do not preach in any place with the doors lock'd or barr'd.

5. That all persons pretending to holy Orders, that shall subscribe the Articles aforesaid, except before excepted, together with part of the 27<sup>th</sup>. Article, concerning Infants Baptism, and take the Oaths, and make the Declaration aforesaid, shall enjoy all the Benefits and Advantages of this Act.

6. The Justices of the Peace are requir'd to tender the Oath of Allegiance and Supremacy to any person, or persons that go to private Meetings; and upon refusal, to take them, and make the Declaration aforesaid, to commit them to Prison, without Bail or Mainprise; and being so committed, if they shall refuse, upon a second tender, to take the said Oaths, or to make Declaration of their Allegiance, they shall be thenceforth taken for Popish Recusants, convicted, and suffer accordingly.

7. For those that scruple the taking of any Oath, the following Declaration shall be sufficient, being by them made and subscribed.

*I acknowledge and declare, &c. That K.  
Charles*

*Charles the II. is Lawful King of this Realm, &c. and that the Pope, neither by himself, nor any Authority of the Church of Rome, or by any other means, with any other hath any Power to depose the King, or dispose of his Dominions, or to authorize any Foreign Prince to invade or annoy his Countreys, or to discharge any of his Subjects of their Allegiance or Obedience to him, &c.*

8. Such Persons as shall conform to this Act, are impowr'd to keep Schools.

Lastly, This Act not to extend to any Papists or Popish Recusant; or to any that shall deny the Doctrine of the *Holy Trinity*.

But now the Term of Prorogation being near at hand, his Majesty was pleas'd to issue forth his Proclamation, bearing date the 18th. of *Jannary*, for the Dissolving of this present Parliament, and calling a New one, to meet, and be holden at *Oxford*, upon the one and twentieth day of *March*, next ensuing.

A

A

LIST  
OF  
BOTH HOUSES  
OF  
Parliament,

Which met at *Westminster*, upon the 21<sup>st</sup>.  
of *October*, 1680. and was Dissolv'd on  
the 18<sup>th</sup>. of *January* following.

[Note, That those that have this Mark \* after them,  
were not Members of the last Parliament.]

The LORDS.

JAMES Duke of York and Albany  
Rupert Duke of Cumberland

Heneage Finch, Baron of Daventry, Lord  
Chancellor of England

Arthur

190 **Historical Collections.**

Arthur *Earl of Anglesey, Lord Privy Seal*

Henry *Duke of Norfolk*

George *Duke of Buckingham*

Christopher *Duke of Albemarle*

James *Duke of Monmouth*

Henry *Duke of Newcastle*

Charles *Lord Marquess of Winchester*

Henry *Lord Marquess of Worcester*

Henry *Lord Marquess of Dorchester*

Robert *Earl of Lindsey, Lord Great Chamberlain*

James *Earl of Brecon, Lord Steward of the Household*

Henry *Earl of Arlington, Lord Chamberlain of the Household*

Aubrey *Earl of Oxford*

Anthony *Earl of Kent*

William Richard George *Earl of Derby*

John *Earl of Rutland*

Theophilus *Earl of Huntingdon*

William *Earl of Bedford*

Philip *Earl of Pembroke and Montgomery*

Edward *Earl of Lincoln*

Charles *Earl of Nottingham*

James

James *Earl of Suffolk*  
Charles *Earl of Dorset and Middlesex*  
James *Earl of Salisbury*  
John *Earl of Exeter*  
John *Earl of Bridgewater*  
Philip *Earl of Leicester*  
James *Earl of Northampton*  
William *Earl of Devonshire*  
William *Earl of Denbigh*  
John *Earl of Bristol*  
Gilbert *Earl of Clare*  
Oliver *Earl of Bullinbrook*  
Charles *Earl of Westmorland*  
Robert *Earl of Manchester*  
Thomas *Earl of Berkshire*  
John *Earl of Mulgrave*  
William *Earl of Malborough*  
Thomas *Earl of Rivers*  
Henry *Earl of Peterborough*  
Thomas *Earl of Stamford*  
Heneage *Earl of Winchelsea*  
Charles *Earl of Carnarvon*  
Henry *Earl of Newport*  
Philip *Earl of Chesterfield*  
Nicholas *Earl of Thanett*  
Thomas *Earl of Portland*  
William *Earl of Strafford*  
Robert *Earl of Sunderland*  
Nicholas *Earl of Scarfdale*

John

John *Earl of* Rochester  
 Henry *Earl of* St. Albans  
 Edward *Earl of* Sandwich  
 Henry *Earl of* Clarendon  
 Arthur *Earl of* Essex  
 Robert *Earl of* Cardigan  
 John *Earl of* Bath  
 Charles *Earl of* Carlisle  
 William *Earl of* Craven  
 Robert *Earl of* Ailesbury  
 Richard *Earl of* Burlington  
 Anthony *Earl of* Shaftsbury  
 John *Earl of* Guilford  
 Thomas *Earl of* Suffex  
 Charles *Earl of* Plimouth  
 Lewis *Earl of* Feversham  
 George *Earl of* Hallifax  
 Charles *Earl of* Mackelfield  
 John *Earl of* Radnor  
 Robert *Earl of* Yarmouth  
 George *Earl of* Berkley

Francis *Viscount* Montague  
 William *Viscount* Say and Seal  
 Edward *Viscount* Conway  
 Baptift *Viscount* Campden  
 Thomas *Viscount* Faulconbridge  
 Charles *Viscount* Mordant  
 Francis *Viscount* Newport

Henry

Henry Lord Mowbray  
 James Lord Audley  
 Charles Lord La Warre  
 Thomas L. Morley and Mounteagle  
 Robert Lord Ferrers  
 Conyers L. Darcy and Meynell  
 Benjamin Lord Fitzwater  
 Charles Lord Gray  
 William Lord Stourton  
 Henry Lord Sandys  
 Thomas Lord Windsor  
 Thomas Lord Cromwell  
 Ralph Lord Eure  
 Philip Lord Wharton  
 Charles L. Willoughby of Parham  
 William Lord Pagett  
 Charles Lord North-Grey of Rolleston.  
 James Lord Chandos  
 Robert Lord Hunsdon  
 James Lord Norreys  
 Christopher Lord Tenham  
 Fulke Lord Grevill  
 Edward Lord Mountague of Boughton  
 Ford Lord Grey of Wark  
 John Lord Lovelace  
 John Lord Paulet  
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Henry *Lord* Herbert of Cherbury  
Thomas *Lord* Leigh  
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Richard *Lord* Byron  
Richard *Lord* Vaughan  
Francis *Lord* Carrington  
William *Lord* Widdrington  
Edward *Lord* Ward  
Thomas *Lord* Culpeper  
Jacob *Lord* Astley  
Charles *Lord* Lucas  
Edward *Lord* Rockingham  
Charles Henry *Lord* Wootton  
Marmaduke *Lord* Langdale  
Denzill *Lord* Holles  
Charles *Lord* Cornwallis  
George *Lord* Delamere  
Horatio *Lord* Townesend  
John *Lord* Crew  
John *Lord* Frescheville  
Richard *Lord* Arundel of Trerise  
Thomas *Lord* Butler of Moor-Park  
Richard *Lord* Butler of Weston  
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Dr. Richard Stern *Lord Archbishop of York*  
Dr. Henry Compton *Lord Bishop of London*  
Dr. Nathaniel Crew *Lord Bishop of Durham*  
Dr. George Morley *Lord Bishop of Winchester*  
Dr. Herbert Crofts *Lord Bishop of Hereford.*  
Dr. Seth Ward *Lord Bishop of Salisbury*  
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196 **Historical Collections.**

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Dr. Thomas Lamplugh *Lord Bishop of Exeter*  
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*The*

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*Sir Charles Berkley \** } denture.

*Evan Seys Serjeant at Law* } by another  
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*City of Lincoln.*

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*Borough of Grantham.*

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*Middlesex 8.*

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Sir

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Sir William Waller Kt.

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Sir Thomas Player Kt.

William Love Esq.

Thomas Pilkinton Esq.

*Monmouth 3.*

Sir Trevor Williams Bar.

William Morgan Esq.

*Borough of Monmouth.*

John Arnold Esq.

*Norfolk 12.*

Sir John Hobert Bar.

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*City of Norwich.*

William Lord Paston

Augustin Briggs Esq.

*Town of Lyn-Regis.*

John Turner Esq.

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*Town of Great Yarmouth.*

Richard Huntington Esq.

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*Borough of Thetford.*

Sir Joseph Williamson Kt.

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*Borough of Castlerising.*Sir Robert Howard *Kt.*James Hoste *Esq.**Northampton 9.*John Parkhurst *Esq.*Miles Fleetwood *Esq. \***City of Peterborough.*Francis St. John *Esq.*Charles Orme *Esq. \***Town of Northampton.*Ralph Montague *Esq.*Sir William Langham *Kt. \***Town of Brackley.*Richard Wenman *Esq. \**Sir Will. Egerton *Kt. of the Bath \***Borough of Higham Ferrers.*Sir Rice Rudd *Bar.**Northumberland 8.*Sir John Fenwick *Bar.*Sir Ralph Delaval *Bar.**Town of Newcastle upon Tine.*Sir William Blacket *Bar.*Sir Ralph Carr *Kt. \***Borough of Morpeth.*Sir George Downing *Kt. Bar.*Daniel Collingwood *Esq. \***Town of Berwick upon Tweed.*Ralph Grey *Esq.*John Rushworth *Esq.**Notting-*



*Nottingham 8.*

Sir Scroop How *Kt.*

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*Town of Nottingham.*

Robert Pierrepont *Esq.*

Richard Slater *Esq.*

*Borough of Eastretford.*

Sir William Hickman *Bar.*

Sir Edward Nevile *Kt. Bar.*

*. Town of Newark upon Trent.*

Sir Robert Markham *Kt.*

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Sir John Cope *Bar.*

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Sir Leoline Jenkins \*

Dr. Charles Perrot \*

*City of Oxon.*

Broom Whorwood *Esq.*

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**Historical**

Historical Collections.

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OR THE  
CONTINUATION  
Of the  
PROCEEDINGS  
Of the  
PARLIAMENT.

Begun and Dissolved  
AT  
OXFORD.

---

LONDON, Printed in the Year 1681.

---

THE [illegible] OF [illegible]

NO. [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

Historical Collections.

OR THE  
CONTINUATION  
Of the  
PROCEEDINGS  
Of the  
PARLIAMENT  
Begun and Dissolved  
AT  
OXFORD.

*Fame.* **B**Eing fully satisfied with the  
account which you gave  
me, of the Proceedings of the last Par-  
liament at *Westminster*, I took my flight  
into the Country, thinking to have  
Q4 open'd

open'd my Pacquet : But when I came there I could hardly find any Body at home ; all People were so busied with the New Elections , and taken up with future expectations , that they little minded what was past. Thereupon I resolv'd to stay awhile before I expos'd my self to those , whose thoughts I found were bent another way. Upon these considerations , I followed the Croud to *Oxford*. But I had hardly trimmed my Weather beaten Wings, before the Parliament was dissolved there too. So then I thought it my best way to come up to *London* again, and find out my Old Friend *Truth*, and then to take my Progresses with a compleat and perfect Relation.

Now therefore I desire thee to favour me with an Accompt of the main Transactions in this same short Parliament at *Oxford*.

*Truth.* That's soon done.

*Fame.* 'Tis so ; and therefore the trouble being the less , I am the more bold to desire it ; in hopes that by keeping Thee company, I may convince the World of the ill Opinion it has of me of being a Lyar.

*Truth,*

*Truth.* Falshood in things of this Nature is of a dangerous importance, and therefore I will tell the Relation barely without Welt or Guard; and do thou be sure to make no Additions thy self.

*Fame.* I shall be very punctual in observing thy Instructions.

*Truth.* Know then that the Parliament being appointed to meet upon the 21<sup>st</sup> of *March* 1681. And the time of Sessions approaching, the King upon the Twelf of *March* removed to *Windsor*, Upon the Fourteenth he removed to *Oxford*, and in his way was met upon the Borders of the County, by the High Sheriff with his Attendants, and at *Whateby* by the Lord *Norris*, Lord Lieutenant of the County, with such an appearance of the Gentry, that hardly any were found missing, but such as were known to be hindred by Sickness, or other lawful Impediment. By whom together with the Two Troops of the County *Militia*; his Majesty was conducted to the *East-Gate* of the City, where he was received by the Mayor; and the rest of the City Magistrates; and the Recorder, Serjeant *Cook*, welcom'd in a set Speech; and after the usual Presents

sents made by the Maior, and among the rest of the Mace, which was return'd; the Mayor then carrying the Mace before his Majesty, with the rest of the Brethren, attended his Majesty to *Christ-Church-Gate*. After that the King passing to his Appartment in the Colledge, was received by the Bishop with a *Latin* Speech upon his Knes attended by the Canons; and the next Morning was attended by the Vice-Chancellour, the Doctors, Professors, Proctors and University Orator. The Vice-Chancellor laid the Beadle's Staves at the Kings Feet; and then the Orator address'd himself in *Latin* to the King—and in *English* to the Queen, the Vice-Chancellor, Orator, and Doctors kneeling all the while.

*Fame.* These Ceremonies do not happen every day, and therefore you have obliged me with the Relation.

*Truth.* Upon the 21<sup>st</sup> of *March*, the Parliament met according to Summons, at *Oxford*, in the Convocation House; at what time his Majesty went to the House of Lords, which State in the *Geometry-School* and being seated in his Throne, with his Royal Robes and the usual Solemnities, declar'd himself in a  
Gra-



Gratious Speech to Both Houses, to the Effect as followes.

‘ That the unwarrantable Proceedings  
‘ of the last House of Commons, were  
‘ the reason of his parting with them;  
‘ for that he who would never use Arbitrary Government himself, would not  
‘ suffer it in others. That whoever  
‘ calmly consider’d the Assurances he  
‘ had renewed to that last Parliament,  
‘ and what he had recommended to  
‘ them, his Forreign Alliances, the Examination of the Plot, and the Preservation of *Tangier*, and reflect upon their  
‘ unsuitable returns, might rather wonder at his Patience then that he grew  
‘ weary of their Proceedings; that it  
‘ was his Interest, and should be as much  
‘ his Cause as theirs to preserve the Liberty of the Subject, the Crown not being  
‘ safe when that is in danger. That by  
‘ calling this Parliament so soon, he let  
‘ them see, that no Irregularities of Parliament should make him out of Love  
‘ with them: by which means he gave  
‘ them another Oppertunity to provide  
‘ for the Publick security, and had given  
‘ one Evidence more, that he had not neglected his part.

’ That

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‘ That he hoped , the ill Success of  
‘ former heats would dispose them to a  
‘ better Temper.

‘ That as for the further Prosecution  
‘ of the Plot, tryal of the Lords, &c.  
‘ he omitted to press them, as being ob-  
‘ vious to consideration , and so necessa-  
‘ ry for the Publick safety. But desired  
‘ them not to lay so much weight upon  
‘ any one Expedient against Popery, as  
‘ to determine that all other were ineffe-  
‘ ctual.

‘ That what he had so often declared  
‘ touching the Succession, he should not  
recede from. But that to remove all  
reasonable Fears , that might a-  
rise from the Possibility of a *Popish*  
Successor , if means could be found that  
in such a Case the Administration should  
remain in *Protestant* hands , He should  
be ready to hearken to any such expedi-  
ent by which Religion might be secur’d  
and Monarchy not destroyed.

Lastly, He advised them to make the  
Known and Establish Laws of the Land  
the Rules and Measures of their Votes.

Which done he commanded the Com-  
mons to return to their House and make  
choice of their Speaker. Thereupon  
Mr.

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Mr. *Williams* Speaker of the last Parliament being again made choice of, and conducted to the Chair, made a short Speech to the House upon his Acceptance. ' That the Unanimous choice of ' the House had left him without excuse ' to disable himself for their Service, it ' being to be suppos'd that who the ' Commons Elected was fit for the ' Trust.

' That it did not become him to offer ' assurance of his Constancy, Fidelity, ' and Vigilancy, the just Sence of the ' Honour conferred upon him, being an ' Engagement for him to do and suffer ' whatever Flesh and Blood could do and ' suffer in their choice.

' That it was a time not to speak ' much, but act well, and therefore desired that their Debates might be regular and orderly without reflection or ' passion, and that his behaviour might ' have their kind and candid Construction.

Upon *Tuesday* the 22d of *March*, the Commons attended his Majesty in the Lord's House; at which time Mr. Speaker humbly represented in another Speech. ' That the Commons in obedience

' dience to his Royal pleasure for the  
 ' disposal of themselves in that great As-  
 ' sembly to serve him, had with one  
 ' voice elected him their Speaker, as  
 ' having had the Honour to serve his Ma-  
 ' jesty and the Commons in that Trust  
 ' in the last Parliament.

' Whereupon with all humility he did  
 ' again by their Command to receive his  
 ' pleasure with a Head and Heart full of  
 ' Loyalty to his Sacred Person, armed  
 ' with a settled resolution never to de-  
 ' part from his Majesties ancient and  
 ' well settled Government.

To which the Lord Chancellor in  
 few words made Answer, That his Ma-  
 jesty had well considered the Choice, and  
 did very well approve of the Election,  
 and allowed him for Speaker.

Then Mr. Speaker made another Ad-  
 dress to his Majesty, setting forth how  
 much his Majesties Grace and favour in  
 the last Parliament, continu'd by the  
 Honour he had in the next, did encrease  
 his Obligations to Loyalty. That as he  
 was set in a High Station, so he would  
 endeavour to manifest his uprightness in  
 it; believing that his Majesties service  
 in that great Place was one and the same  
 with

with that of his Commons, no more to be divided then his Crown and Sceptor.

After which, he made an humble claim in the Name of the Commons of *England*, of all the Ancient Rights for them and their Servants, freedom of Speech in their debates, and liberty of access to his Person, according to Custome.

Concluding by way of Petition to his Majesty, that nothing by him said, either through weakness or inadvertency, should tend to the prejudice of the Commons, and that his behaviour and proceedings might receive a favourable Interpretation from his Majesty.

To which the Lord Chancellor by his Majesties command returned for Answer, That their Petitions were fully and freely granted, in as large and ample manner as ever any House enjoy'd them; his Majesty being assur'd that the House would make as prudent a use of them, as ever any of their Ancestors; and that his own particuar Petition was grateful to the King too, knowing that he would be as ready to avoid, as the King to forgive mistakes. The next day being the Twenty-third, was spent in taking the  
Oaths

Oaths of Allegiance and Supremacy, and subscribing the Declaration directed by the Act made in the Thirteenth year of the King.

*Thursday* the Twenty-Fourth produc'd little remarkable, several Petitions about Elections were presented; and an Order made for setting the next *Saturday* aside to consider of a means for securing the *Protestant* Religion, and the safety of the Kings Person.

The Twenty-Fift of *March*, being *Friday*, the Lords sent down the Answer of *Sir William Scrogs* to the Articles of Impeachment exhibited against him by the former Parliament, together with his Petition to the house of Peers. But nothing was done in it; for the House fell upon three affairs of Higher concernment.

The first was the consideration of the matter relating to a Bill, which had passed both Houses in the last Parliament, Entitl'd, An Act for Repeal of a Statute made in the Thirty-Fift Year of the Reign of *Queen Elizabeth*, but was not tendered to his Majesty for his Royal Assent. Whereupon it was resolv'd that a Message should be sent to the Lords, to de-

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desire a Conference as to matters relating to the Constitution of Parliaments in passing of Bills ; and Ordered a Committee to prepare what was fit to be offered at the said Conference.

Another Message was also Ordered to be sent to the Lords to put them in mind, that the Commons had formerly by their Speaker demanded judgment of High Treason at their Barr against the Earl of *Danby* ; and therefore to desire their Lordships to appoint a day to give judgment against him the said Earl upon the said Impeachment.

The same day the Examination of *Ed. Fits-Harris*, relating to the *Popish Plot* was read in the House. Upon which the said Examination was Ordered to be Printed, the said *Fits-Harris* to be impeached at the Lords Barr, and a Committee appointed to draw up Articles against him.

The Sum of *Fits-Harris's* Examination was this, That in the Year 1672. One *Father-Gough*, an *English Priest* should tell him at *Paris*, that within two Years after, he should see the *Catholick Religion* established in *England*. To which purpose if the King would not comply ; that

R

Order

Order was taken that he should be taken off and kill'd.

That the same Priest told him, that the D. of T. was a *Catholick*, so made by his Mother, in whose Reign there would be no difficulty of doing it.

And farther, that the Declaration of Indulgence, and the War against *Holland* were in Order to the introducing of the *Catholick* Religion into *England*.

And the same Author reported to him, That *Madam* came over to *Dover*, about the same design.

That he knew several Commanders in the Army mustered upon *Black-Heath*, to be *Roman-Catholick's*, and that it was the common Intelligence and Opinion among them that the said Army was rais'd to bring in the *Romon-Catholick-Religion* into *England*.

That in the Year 1679. Marquess *Montecuculi*, the D. of *Modena's* Envoy, told him, if he would undertake to kill the King, either in his own Person, or by any other, he should have Ten-Thousand pound.

That the same Marquess told him, that upon killing the King, the Army in *Flanders* and Parts adjoining to *France*, was to come



come over to destroy the *Protestant-Party*, after which there should be no more Parliaments in *England*; and that the D. of *Y.* was privie to all these designs. That in the Year 1680. He met *Kelley* the Priest at *Calice*, who owned himself to be one of the Murtherers of Sir *Edmundbury Godfrey*, and that the same was done, much as *Prance* had related it; and,

That Monsieur *De-Puy* a Servant to the D. of *Y.* had told him, soon after the said Murther was committed, that the said Murther was consulted at *Windfor*; and farther told him, that there was a necessity of taking off the King, and that it would soon be done; with some other passages of less remark to the same purpose. Upon this Information Mr. Secretary *Jenkins* was Ordered to go up and impeach the said *Fits-Harris*, at the Barr of the Lords House.

In the mean time, that is to say, in the forenoon of the next day, being *Saturday* the 26 of March; other Examinations of Mr. *John Serjeant* and *David Maurice*, relating to the *Popish-Plot* were Read, and Ordered to be Printed. That of *Serjeant* was short, that a Gentlewoman an Acquaintance of his in *Flanders*, one Mrs.

R 2

Skip.

*Skipwith* told him, That *Gaven*, one of the Five *Jesuits* which were Hang'd, had maintain'd against a scruple of Conscience by her put, that the Queen might not only lawfully kill the King for violating her Bed, but was bound to do it, and that if she did not, she was guilty of his greater Damnation in letting him continue so long.

*Maurice's* Information was shorter, That he heard the Gentlewoman confirm the Truth of *Gavens* words.

Presently after, the House taking into debate the means for the security of the Protestant Religion, and safety of his Majesties Person, came to a Resolution, that a Bill should be brought in for excluding *James D. of York* from Inheriting the Imperial Crowns of *England* and *Ireland*, and the Dominions and Territories there-to belonging.

The same Day in the Afternoon, the House being inform'd that the Lords had refus'd to proceed upon their Impeachment of *Edward-Fits-Harris*, and had directed, that he should be proceeded against at Common-Law, They came to three Resolves.

That it was the undoubted Right of the Com-

Commons in Parliament assembl'd to impeach before the Lords in Parliament : any Peer or Commoner for Treason, or any other Crime or Misdemeanour, and that the Refusal of the Lords to proceed in Parliament upon such an Impeachment was a denial of Justice, and a violation of the Constitution of Parliaments.

Secondly, That in the Case of *Edward Fits-Harris*, who had been impeach'd by the Commons for High Treason before the Lords, with a Declaration, that in convenient time they would bring up Articles against him, for the Lords to resolve, That the said *Fits-Harris* should be proceeded against according to the Course of Common-Law, and not by way of Impeachment in Parliament, at that time, was a violation of the Constitution of Parliaments, and an Obstruction to the farther Discovery of the *Papish-Plot*, and of great danger to his Majesties Person, and the *Protestant-Religion*.

Thirdly for any Inferiour Court to proceed against *Edward Fits-Harris*, or any other Person lying under an Impeachment in Parliament, for the same Crime, for which they stood impeached, was a High breach of the Priviledge of Parliament.

R 3

As

After this, they Ordered two Bills to be brought in, The one for the better Uniting his Majesties *Protestant*-Subjects;

The other for banishing the most considerable *Papists* in *England* by their Names out of his Majesties Dominions.

*Monday* the Twenty-eighth Day of *March*, and last of the Session little remarkable pass'd, only the Bill of *Exclusion* was read a Second time.

But these and all other their debates that Morning put a suddain Conclusion, for soon after being sent for by the King to the House of Lords: his Majesty told them, That their beginnings had been such that he could expect no good success of this Parliament, and therefore thought fit to dissolve them, and accordingly the Chancellor by the Kings command declared the Parliament dissolv'd.

After the Dissolution of the Parliament, the King went back to *Windsor*, the same Day, and from thence after a stay of some few Hours, returned to *White-Hall*.

*Fame*. I will not ask Thee, what were the Coffee-Houses Censures and Comments upon an Action of so much importance, and so suddain as this.

*Tauth*. No, for if Thou didst, it would be

be to no purpose: For Thou knowest I have little to do there; but the first thing that I saw in Publick upon the Stalls, was a Half-sheet of Paper entitled,

*The Protestation of the Lords,*

Upon rejecting the Impeachment of Mr. *Fits-Harris*; giving for Reasons, why it was the undoubted Right of the Commons so to do, because great Offences that influence the Parliament, were most effectually determined in Parliament, nor could the complaint be determin'd any where else. For that if the Party should be Indicted in the Kings Bench, or any other Inferiour Court for the same Offence, yet it were the same Suit; an Impeachment being at the suite of the People, but an Indictment at the suite of the King. Besides that they conceived it to be a denial of Justice, in regard the House of Peers, as to Impeachments, proceeding by Vertue of their Judicial, not their Legislative Power, could not deny any Suitors, but more especially the Commons of *England*, no more then the Courts of *Westminster*, or any other Inferiour Courts could deny any Suite or Criminal Cause regularly Commenced before them. Sign'd according to the Printed Copy,

<i>Monmuoth</i>	<i>Sunderland.</i>	<i>Grey of Wark.</i>
<i>Kent.</i>	<i>Essex.</i>	<i>Herbert of</i>
<i>Huntington.</i>	<i>Shaftsbury.</i>	<i>Cherbury.</i>
<i>Bedford.</i>	<i>Macclesfield.</i>	<i>Cornwallis.</i>
<i>Salisbury.</i>	<i>Mordant.</i>	<i>Lovelace.</i>
<i>Clare.</i>	<i>Wharton.</i>	<i>Crew.</i>
<i>Stamford.</i>	<i>Paget.</i>	

Upon the *Munday* next after *Easter-Week*, came forth His Majesties Declaration, shewing the Causes and Reasons that mov'd him to dissolve the Two last Parliaments.

Wherein after he had set forth with how much reluctancy he did it, and how absolute his Intentions were to have comply'd, as far as would have consisted with the very being of the Government, with any thing that could have been propos'd to him for preserving the *Establisht* Religion, the Liberty and Property of the Subject at home, and supporting the Forraign Alliances, he took notice of the unsuitable Returns of the House of Commons; their Addresses in the Nature of Remonstrances; their Arbitrary Orders for taking Persons into Custody for Matters that had no Relation to their Priviledges; and their  
strange

strange Illegal Votes declaring divers *Eminent Persons*, Enemies to the King and Kingdom, without any Order or Process of Law or hearing their Defence.

That besides these Proceedings they had Voted,

That whoever should Lend any Money upon the Branches of the Revenue, or Buy any Tally of Anticipation; or pay any such Tally should be adjudged to hinder the sitting of *Parliaments*, and be answerable to the same in Parliament. Which Votes, instead of giving him Assistance, tended rather to disable him, and to expose him to all dangers that might happen at Home or Abroad, and to deprive him of the possibility of supporting the Government it self, and to reduce him to a more helpless Condition. then the meanest of his Subjects.

That they had Voted the Prosecution of *Protestant* Dissenters, upon the Penal-Laws a grievance to the Subject, a weakning to the *Protestant* Interest, an Encouragement to *Popery*, and dangerous to the Peace of the Kingdom. Whereby they assumed to themselves a Power of suspending Acts of Parliament. Which unwarrantable Proceedings were the Occasion of his part-  
ing

ing with the first Parliament. That having Assembled another at *Oxford*, he gave them warning of the Errors of the former, and required them to make the Law of the Land their Rule, as he resolv'd it should be his. Adding withal, that though he could not depart from what he had so often declared touching the Succession, Yet to remove all Reasonable fears that might arise from a *Popish* Successor; if means could be found that in such a Case the Administration of the Government might remain in *Protestant* Hands, he was ready to hearken to any expedient for the preservation of the *Establisht* Religion without the Destruction of Monarchy.

Notwithstanding all which, no expedient could be found, but that of a Total Exclusion, which he was so nearly concern'd in Honour, Justice and Conscience not to Consent to. Nor did he believe, as he had Reason so to do, but that if he had in the last Parliament at *Westminster* consented to a Bill of Exclusion; that the Intent was not to have rested there, but to have attempted some other great and important Changes.

That the business of *Fits-Harris*, impeach'd by the Commons of High Treason, and by the Lords referred to the Ordinary Courie



of Law, was on a suddain carried to that Extremity by the Votes of the House of Commons, *March 26*. That there was no possibility left of a Reconciliation.

Whereby an impeachment was made use of, to delay a Tryal directed against a professed *Papist*, charg'd with Treasons of an extraordinary Nature.

That nevertheless he was resolv'd that no Irregularities in Parliaments should make him out of love with them, but by the Blessing of God to have frequent Parliaments, and both in and out of Parliament, to use all his utmost endeavours to extirpate Popery, and to redress the Grievances of his good Subjects, and in all things to Govern according to the Laws of the Kingdom. This Declaration being published, was likewise ordered to be read in all Churches and Chapples throughout the Kingdom. And thus my dear Friend *Fame* (for thou art some times a Friend to me as well as to Falshood) I have been Candid toward thee, in giving Thee plainly without Comment or Observations either on the one side or the other, a true Accompt of the most Memorable passages of the Two last Parliaments, in  
due

## 250 Historical Collections.

due Series and Connexion for the aid and assistance of thy Memory. Now take thy flight, and make the best Use of thy Pacquet which thou canst. If thou seek'st for more, go look among the Intelligences; which though they will deceive Thee: may perhaps better tickle the Fancies than the Judgments of the People.

A

A NEW AND TRUE  
CATALOGUE  
OF THE  
HOUSE of LORDS,

Together with the  
Knights, Citizens, Burgesſes, and Barons  
OF THE  
CINQUE-PORTS;

That were Returned to ſerve in the *Parliament*  
of ENGLAND Aſſembled at OXFORD  
the twenty-fiſt of *March* 1681.

Note, *That thoſe that have this Mark (\*) after*  
*them, were not Members of the foregoing Parlia-*  
*ment.*

---

The LORDS

JAMES Duke of York and Albany.  
Rupert Duke of Cumberland  
Heneage Finch Baron of Daventry,  
Lord Chancellor of England.  
John Earl of Radnor Lord Preſident of  
the Council.

Ar-

252 **Historical Collections.**

*Arthur* Earl of *Anglesey* Lord Privy-Seal.

*Henry* Duke of *Norfolk*.

*Charles Seymore* Duke of *Somerset* under Age.

*George* Duke of *Buckingham*.

*Christopher* Duke of *Albemarl*.

*James* Duke of *Monmouth*.

*Henry* Duke of *Newcastle*.

*Charles Lenox* Duke of *Richmond*, under Age.

*Charles Fitz-Roy* Duke of *Southampton*, under Age.

*Henry Fitz-Roy* Duke of *Grafton*.

*Charles* Lord Marq. of *Winchester*.

*Henry* Lord Marq. of *Worcester*.

*Robert* Earl of *Lindsey*, Lord Great Chamberlain.

*James* Earl of *Brecon*, Lord Steward of the Household.

*Aubrey* Earl of *Oxford*.

*Charles Talbot* Earl of *Salop*, if at Age.

*Anthony* Earl of *Kent*,

*William Richard George* Earl of *Derby*.

*John* Earl of *Rutland*.

*Theophilus* Earl of *Huntingdon*.

*William* Earl of *Bedford*.

*Philip* Earl of *Pembroke* and *Montgomery*.

*Edward* Earl of *Lincoln*,

*Charles* Earl of *Nottingham*,

*James*

*James* Eral of *Suffolk*.

*Charles* Earl of *Dorset* and *Middlesex*.

*James* Earl of *Salisbury*.

*John* Earl of *Exeter*.

*John* Earl of *Bridgewater*.

*Philip* Earl of *Leicester*.

*James* Earl of *Northampton*.

*Edward Rich* Earl of *Warwick* and *Holland*, under Age.

*William* Earl of *Devonshire*.

*William* Earl of *Denbigh*.

*John* Earl of *Bristol*.

*Gilbert* Earl of *Clare*.

*Oliver* Earl of *Bullingbrook*.

*Charles* Earl of *Westmorland*.

*Robert* Earl of *Manchester*.

*Thomas* Earl of *Barkshire*.

*John* Earl of *Mulgrave*.

*Thomas* Earl of *Rivers*.

*Henry* Earl of *Peterborough*.

*Thomas* Earl of *Stamford*.

*Heneage* Earl of *Winchelsea*.

*Charles* Earl of *Carnarvon*.

*Philip* Earl of *Chesterfield*.

*Richare* Earl of *Thanet*.

*William* Earl of *Strafford*.

*Robert* Earl of *Sunderland*.

*Robert* Earl of *Scarsdale*.

*Charles* Earl of *Rocheſter*.

*Henry*

254 **Historical Collections.**

*Henry* Earl of *St. Albans*,

*Edward* Earl of *Sandwich*.

*Henry* Earl of *Clarendon*.

*Arthur* Earl of *Essex*.

*Robert* Earl of *Cardigan*.

*John* Earl of *Bath*.

*Charles* Earl of *Carlisle*.

*William* Earl of *Craven*.

*Robert* Earl of *Ailesbury*.

*Richard* Earl of *Burlington*.

*Anthony* Earl of *Shaftsbury*.

*Edward Henry Lee* Earl of *Lichfield* under  
Age.

*John* Earl of *Guilford*.

*Thomas*, Earl of *Sussex*,

*Lewis* Earl of *Feversham*,

*George* Earl of *Hallifax*.

*Charles* Earl of *Mackelsfield*.

*Robert* Earl of *Tarmonth*.

*George* Earl of *Berkley*.

*Edw. Conway* Earl of *Conway*.

*Leicester Devereux* Viscount *Heriford*,  
under Age

*Francis* Viscount *Montague*.

*William* Viscount *Say and Seal*.

*Baptist* Viscount *Camden*.

*Thomas* Viscount *Faulconbridge*.

*Charles* Viscount *Mordant*.

*Francis* Viscount *Newport*.

*Henry*

**Historical Collections.** 255

Henry Lord Mowbroy.  
George Nevil Lord Abergavenny under Age.  
James Lord Audley.  
Charles Lord La Warr.  
Thomas Lord Morley & Mounteagle.  
Robert Lord Ferrers.  
Coniers Lord Darcy and Meynel.  
Charles Lord Fitzwater, under Age.  
Henry Lord Grey, under Age.  
William Lord Stourton.  
Conyers Lord Conyers.  
Henry Lord Sandys.  
Thomas Lord Windsor.  
Thomas Lord Cromwel.  
Ralph Lord Eure.  
Philip Lord Wharton.  
Tho, Lord Wiltoughby of Parham.  
William Lord Pagett.  
Charles Lord North Grey of Rolleston.  
James Lord Chandos.  
Robert Lord Hunsdon.  
James Lord Norreys.  
Digby Lord Gerrard, under Age.  
Christopher Lord Tenham.  
Fulk Lord Brook.  
Edward Lord Mounstague of Boughton.  
Ford Lord Grey of Wark.  
John Lord Lovelace.  
John Lord Paulet.

S

William

256 **Historical Collections.**

*William Lord Maynard.*  
*John Lord Coventry.*  
*William Lord Howard of Eſcrick.*  
*Charles Lord Mohun under Age.*  
*Henry Lord Herbert of Cherbury.*  
*Thomas Lord Leigh.*  
*Chriſtopher Lord Hatton.*  
*Richard Lord Byron.*  
*Richard Lord Vaughan.*  
*Francis Lord Carrington.*  
*William Lord Widarington.*  
*Edward Lord Ward.*  
*Thomas Lord Culpeper,*  
*Jacob Lord Aſtley.*  
*Charles Lord Lucas.*  
*Edward Lord Rockingham.*  
*Robert Sutton Lord Lexington.*  
*under Age*  
*Charles Henry Lord Wootton.*  
*Marmaduke Lord Langdale.*  
*Charles Lord Berkley of Stratton, under*  
*Age.*  
*Francis Lord Holles.*  
*Charles Lord Cornwallis,*  
*George Lord Delamere.*  
*Horatio Lord Townſend.*  
*Thomas Lord Crew.*  
*John Lord Freſcheville.*  
*Richard Lord Arundel of Treviſe.*  
*James*



*James Lord Butler of Moor-park*, under Age.

*Hugh Lord Clifford*, under Age.

*Richard Lord Butler of Weston.*

*Edward Noel Lord Titchfield.*

### Archbishops and Bishops

*Dr William Sancroft*, Lord Archbishop of Canterbury.

*Dr Richard Stern*, L. Archbishop of York,

*Dr Henry Compton*, Lord Bishop of London.

*Dr. Nathaniel Crew*, Lord Bishop of Durham.

*Dr George Morley*, Lord Bishop of Winchester.

*Dr. Herbert Crofts*, Lord Bishop of Hereford.

*Dr. Seth Ward*, Lord Bishop of Salisbury.

*Dr. Edward Rainbow* Lord Bishop of Carlisle.

*Dr. John Dolben*, Lord Bishop of Rochester.

*Dr. Anthony Sparrow*, Lord Bishop of Norwich.

*Dr. Peter Gunning*, Lord Bishop of Ely.

*Dr. Thomas Wood*, Lord Bishop of Lichfield and Coventry.

*Dr. Peter Mew*, Lord Bishop of Bath and Wells.

## 258 **Historical Collections.**

Dr. *John Pierſon*, Lord Biſhop of *Cheſter*

Dr. *Humphry Lloyd*, Lord Biſhop of *Ban-*  
*gor.*

Dr. *William Lloyd*, Lord Biſhop of *Peter-*  
*borough.*

Dr. *Guy Carlton*, Lord Biſhop of *Chicheſter.*

Dr. *Thomas Barlow*, Lord Biſhop of *Lin-*  
*coln.*

Dr. *James Fleetwood*, Lord Biſhop of *Wor-*  
*ceſter.*

Dr. *John Fell*, Lord Biſhop of *Oxford.*

Dr. *Thomas Lamplough*, Lord Biſhop of  
*Exeter.*

Dr. *William Thomas*, Lord Biſhop of *St.*  
*Dauids.*

Dr. *William Gulſton*, Lord Biſhop of *Bri-*  
*ſtol.*

Dr. *William Beaw*, Lord Biſhop of *Llan-*  
*dſſ.*

Dr. *William Lloyd*, Lord Biſhop of *St.*  
*Aſaph.*

Note,

Note that the LORDS under  
Age are not Call'd by the King's  
WRIT. And Papists are exclu-  
ded by Law.

---

The COMMONS.

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*Pawlet St. John Esquire.*  
*Sir William Franklin Knight.*

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*Richard Southby Esq.*

*Borough of Reading.*  
*John Blagrove Esq.*  
*Nathan Knight Esq.*

S 3

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Borough of *Wallingford*.*Scory Barker Esq.*\* *Taverner Harris Esq*Borough of *Abington*.Sir. *John Stonehouse*.

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Borough of *Wendover*

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*Edward Backwel Esq.*

Borough of *Great Marlow.*

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*Sir Robert Cotton Knight.*

*University of Cambridge,*

*Sir Thomas Exton Knight.*

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*Roger Whitley Esq.*

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*John*

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*Sir Thomas Putt Baronet.*

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*Borough of Tiverton.*

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*Tho.*

*George Vernon Esq.*

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**nes.**

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*Tho.*

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*Sir*

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*Samuel Grimston Esq.*

Borough of *Hertford*

*Sir Thomas Bide Knight.*

*Sir William Couper Baronet.*

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*Sir Thomas Proby Baronet.*

T

*Silas*

273 Historical Collections.

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*Sidey Wortley alias Mountague Esq.*

*Lionel Walden Esq.*

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Borough of *Maidstone.*

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*Sir Charles Houghton Barronet.*

Borough of *Lancaster.*

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Borough or Town of *Preston* in *Amounderness,*

*Sir Robert Carr Knight and Baronet.*

*Sir Gervas Elwes Baronet.*

Borough of *Newton.*

*Sir John Chicheley Knight.*

*Andrew Fountain Esq.*

Borough of *Wigan.*

\* *Richard Lord Colchester.*

*Charles Earl of Ancram.*

Borough of *Clithero.*

*Sir Thomas Stringer Knight.*

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Borough of *Liverpool.*

*Ruisbee Wentworth Esq.*

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*Sir John Hartop Baronet.*  
 Town of *Leicester.*  
*John Gray Esq.*  
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*City of Lincoln.*

\* *Sir Thomas Hussy Knight,*  
*Sir Thomas Meers Knight.*

*Borough of Boston.*

*Sir Anthony Irby Knight.*  
*Sir William Tork Knight.*

*Borough of Great Grimsby.*

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*George Pelham Esq.*

*Town of Stamford.*

*Sir Richard Cust Baronet.*

*William*

*William Hyde Esq.*

Borough of *Grantham.*

*Sir William Ellis* Baronet.

*Sir John Newton* Baronet.

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\* *Nicholas Raynton* Esq.

City of *Westminster.*

*Sir William Poultney* Knight.

*Sir William Valler* Knight.

*London.*

*Sir Robert Clayton* Knight Alderman.

*Thomas Pilkington* Esq. Alderman.

*Sir Thomas Player* Knight.

*William Love* Esq.

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*Sir Edward Morgon* Knight.

Borough of *Monmouth.*

*John Arnold* Esq.

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*Miles Fleetwood Esq.*

City of *Peterborough.*

\* *William Lord Fitz-Williams.*

*Francis St. John Esq.*

Town of *Northampton.*

*Ralph Montague Esq.*

*Sir William Langham Knight.*

Town of *Brackley.*

*Sir Richard Venham Baronet.*

\* *William Lisle Esq.*

Borough of *Higham-Ferries.*

*Sir Rice Rud Baronet.*

## NORTHUMBERLAND 8.

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